

**MINUTES OF THE  
SPRING LAKE PLANNING BOARD  
March 9, 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, Walter Judge, Matt Sagui, Lisa DeBerardine, Stuart Patterson, Mary Ann Rooney and Chairman Nicholas Sapnar.

Motion by Judge, seconded by Napp, that the minutes of the January 13, 2016 regular meeting and the January 13, 2016 Reorganization meeting be adopted. On roll call Board Members Iannaccone, Napp, Sagui, DeBerardine, Patterson, Rooney and Sapnar voted Aye. Burke abstained. None No. Motion carried.

**Resolutions #1-8 2016 Reorganization**

Motion by Judge, seconded by Napp, that Resolutions #1-8 2016 Reorganization be adopted as amended. On roll call Board Members Iannaccone, Napp, Judge, Sagui, Goldstein, DeBerardine, Patterson, Rooney and Sapnar voted Aye. Burke Abstained. None No. Motion carried.

**Resolution #12-2016 Kleitsch**

Motion by Sapnar, seconded by Burke to approve Resolution#12-2016 as amended. On roll call Board Members Iannaccone, Burke, Sagui, DeBerardine, Patterson, Rooney and Sapnar voted Aye. Napp, Judge abstained. None No. Motion carried.

**Resolution #13-2016 Magnusson**

Motion by Sapnar, seconded by Burke to approve Resolution#12-2016. On roll call Board Members Iannaccone, Burke, Napp, Sagui, DeBerardine, Patterson, Rooney and Sapnar voted Aye. Judge abstained. None No. Motion carried.

**Announcements:**

Calendar#16-2015 Magrini carried until April 13, 2016 at 7:00 in this room.

**CAL#1-2016 Hansen**

114 Tuttle Ave  
Block 110, Lot 15

Michael Rubino, applicant's attorney, had his exhibits marked into evidence. Mr. Rubino reviewed the variances requested. He stated that items from the engineer's letter will be addressed in testimony.

Patricia O'Connor Hansen was sworn in. Mrs. Hansen came to the Board for a variance nine years ago in 2007. They have owned the house for 20 years; 15 years as full time residents. Mr. & Mrs. Hansen have three children; ages 18, 15 and 13. She has been active in the community and was a member of the School Board for many years. As the family grew, they needed to redesign the space. The previous variance was to add a porch and family room. When they were granted the variance to add a porch and family room, they also altered the space to make it more conducive to full time living. As with any old house, storage is always a problem. They wish to add a second floor addition that will be over the existing deck and a pool. Now that the children are older, they use the back yard differently. They use the deck a lot and would like to make it useable for three seasons but the space is too close to the garage to be enclosed. It will not be heated. If they can roof over the deck, they would put a master bath into the space above. The deck is 16.27 feet from the garage and they are proposing 16.44 feet. They would like to have a pool as an attraction to family and friends to spend time in their yard. When they did work nine years ago, they made the basement a living space. They are lacking storage area. They would like to dig under the garage to create more storage.

Board member asked about: Fireplace in three season room? Loss of a parking space? Deck and garage were always in same location? Conflicting figures from previous application and current numbers: 25.6% bldg coverage now 26.5%, Impervious 48.7% now 42.55% and drywells? New room on first floor will not be heated. Fireplace is decorative. They use the space in the garage for storage so the cars are stacked in the driveway now. Al Hilla confirmed, other than the garage, the figures presented on the current survey are accurate. Two drywells were installed on the property when construction was done in 2007.

Brendan McHugh, architect, was accepted and sworn in. Mr. McHugh went over the addition to the house. He looked at trying to make the addition conform to the 25% coverage allowed but it created odd bump outs that would not be attractive. The gable added on the back of the house will not be as high as the existing house and will match the other gable on the rear of the house, which is approximately 26.4 feet in height. He looked at the distance between structure & the garage. The best he could do, while still allowing for a useable space, was to make the existing deck align with the house. Garage will be braced and lifted to allow them to dig underneath. They hope to save the garage. The mechanical equipment will be in the storage area on top of the garage. The generator will be placed within the ten foot setback. They will set the generator to test during the daytime, when it will not be disturbing to the neighbors. They will comply with the noise ordinance. Garage size will not be changing but they will take the back corner and use it for pool equipment. Pool equipment will be within the required setback.

Board members asked about: size and location of garage, purpose of elevating the old garage instead of knocking down and building a conforming garage or lifting and moving to conform with setbacks, second story, stairs to second story, height of garage, ridge on roofline, fiberglass deck for generator, how will driving piles effect neighbors garage, slab. They would like to retain the existing garage to accommodate more storage. The second story is low ceiling and only used for storage. The stairs will be moved forward three feet to accommodate the pool equipment. The garage is less than 18 feet high. The generator will be on a deck that is enclosed on three sides. They are open to exploring

methods to elevate and excavate. The slab is cast in place. If they moved the garage closer to the house, they would require a bigger variance for distance between buildings.

Ray Carpenter, engineer, was accepted and sworn in. The most difficult part of this project was trying to get the site into compliance with the impervious coverage permitted. Since there was an existing non-conformance, they felt that they should make their best effort to reduce the coverage wherever they could. They will remove a portion of the driveway that is in front of the garage area that is used for storage. The pool is very small by pool standards. The building coverage increase is because the deck did not go the full length of the house and would have left a cut out at the end. He matched the sides of the house and that increased the building coverage but they are shaving a bit off the deck to bring the distance between the garage and house 16.44 feet down from 16.27 feet. Mr. Carpenter addressed the garage coverage. He explained that in the past the Board has approved a cabana, that is attached to the garage but does not have an entrance from the garage, as an additional accessory structure. The pool equipment, bike storage and shower area should be considered an accessory structure. This area is 82 square feet, where 100 square feet is allowed. Mr. Carpenter questioned the calculation of the engineer of the building height of 37.1 feet and stated that the height is 35 feet. Mr. Carpenter had some comments about house elevations in which he participated and one was a very narrow space but caused no damage to the neighboring structures.

Board members had questions about the garage/accessory structure and the impervious coverage calculation and underground wires.

Audience member, Ann Ronan, asked if there were any studies of the hydrobiology in the area. How does that kind of excavation effect the ecology of the area?

Mr. Carpenter replied that there was a soil boring and it is all clean sand. The water table is down ten feet. They will not be reaching the water table so it should have limited effect on the area. Tree roots would be addressed during the construction.

There was some Board member discussion of the rules on trees and property.

Anne Ronan, 112 Tuttle, was sworn in. Ms. Ronan objected with regret to the variance application. The two story addition would effect her light, views and air. The garage is nonconforming and three feet away from the property line. She feels that the project is a reconstruction and would have too many unknowns about how the work will be conducted She feels that it will be extremely disruptive to the neighbors.

Michael Rubino summed up the addition hardship is defined by the undersized lot 10,500 square feet in a zone that requires 15,000 square feet. The applicant is faced with an existing condition, where they would like to add a modest addition to the rear of the house. The addition meets the rear and side yard setback. It does not meet the total building coverage, which would go up less than 40 feet. The other variance is the distance between the garage and house, which will remain virtually the same. The garage will be elevated in place. Zoning did not even pick it up as a variance. They are not exacerbating those variances, they are just in place. Total impervious coverage will be reduced; existing

42.55% is coming down to 40.7%. Overall they are bringing the property more in conformance with what the town wants.

Mr. McGill asked to review the variance requests. Regarding the garage, we need variances to build up within the setbacks, so logically, we would need a variance to build down within the setback. Our definition of structure discusses above and below the ground. We will need variances for the room below the surface. Garage coverage is at 692 square feet and the testimony was that there will be a shower outside at 28 square feet. The board will need to decide if the shower will be an accessory structure.

The Board discussed impervious coverage and the garage and the accessory structure.

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

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

The Board, Mr. McGill and Mr. Rubino discussed what the variances should be and a potential order of the vote.

Mr. Rubino requested a recess. They will reassess the plan and come back to the Board.

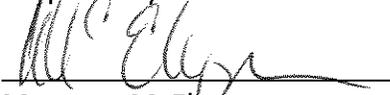
Mr. McGill stated that the matter will be adjourned until Wednesday, May 11, 2016 at 7:00 PM in this room and no notice will be required.

Mr. Rubino introduced the informal discussion of the Ballero subdivision. They own a house facing Edgewood Place. Part of that property extends to the south. They purchased a piece of property off of Edgewood to add to the overall size of their existing lot. That is the western portion of lot 29.01. They would like to draw a line on the southern portion of lot 28 and keep the existing house with the garage on it. That lot 9,222 feet and have some existing violations of the front yard setback. The question for the Board is whether they can live with the subdivision layout without an additional turnout.

Board members asked about what is on the existing lot 29.01. Nothing. How long have they owned the property? 1996. Additional small piece of property was acquired 7-8 years ago. There was a discussion of non-conformity and safety issues. If the applicant came in with a plan that might help the safety issues on the street, the Board would probably look positively on that.

Motion to adjourn by Sapnar, seconded by Judge. All members Aye. None No. Motion carried. Time: 9:06 PM.

Respectfully Submitted:

  
Margaret McElynn