

**MINUTES OF THE
SPRING LAKE PLANNING BOARD
JUNE 14, 2017**

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.

Acting Chairman Walter Judge called the meeting to order 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, Walter Judge, Robert Drasheff, Lisa DeBerardine, Melissa Smith-Goldstein, Thomas Burus.

RES#13-2017 Lapitzki

Motion by Rizzo, seconded by Burke to approve Resolution #13-2017. On a roll call Board Members Rizzo, Iannaccone, Burke, Judge and Burrus voted Aye. Drasheff, Goldstein and DeBerardine abstained. None No. Motion carried.

CAL #2-2017 Estate of Meehan
400 Sussex Avenue
Block 50 Lot 24

Councilman Drasheff is an interested party.

Michael Rubino, applicant's attorney, marked items into evidence. He explained that the application is for a minor subdivision. They will hope to keep the house and also request a variance to keep the garage and a front step that encroach into the setbacks. The new lot will be fully conforming and should not require any variances. The interior lot will be 75' x 150' or 11,250 square feet and the corner lot will also be 75' x 150' on Sussex and Fourth. The property is in the R-2 Zone, where 7,500 square feet is required.

John Gelson was sworn in. He is the executor for the estate. Smitty was his Father's roommate at Notre Dame in 1949. His job as executor is to maximize the value of the estate for the beneficiaries, who are Notre Dame, the Foodbank and Mr. Meehan's nieces and nephews in trust. The house needs work but he would like to retain it. It fits in with the neighborhood. The front step can be redone to conform and the garage can be demolished. They could require a tree plan when they sell. The consensus of the Real Estate agent, to whom he spoke, was that a subdivision would maximize the value of the property. The fence behind the garage could be removed and the property cleaned up.

Peter Donnelly 409 Sussex asked why he was not noticed. Robert Gamgort 312 Sussex also asked why he was not noticed.

Mr. McGill noted that the certified list dated May 3, 2017 is page 1 of 1, which was provided to the applicant, and Mr. Gamgort's property is not on the list. Mr. Donnelly needs to update his mailing address. So notice was proper according to the statute.

Mr. Rubino stated that after his presentation, if the neighbors still needed time to review the application, the applicant would be willing to carry the application.

Mr. McGill noted for the record that Mr. Patterson had arrived but was an interested party so he is recusing himself.

Joseph Kociuba, engineer and planner, was sworn and accepted. The lot is on Sussex and Fourth Avenues. It is 150' x 150'. It is surrounded by residential uses in the R-2 Zone comprised of properties ranging in size from 7,500 square feet to over 20,000 square feet. Typically the lots in this area are 50' x 150' or 75' x 150'. An interior lot in this zone requires 7,500 square feet. A corner lot requires 9,750 square feet. Each of these lots would be 11,250 square feet. The corner lot could meet all setbacks with a 41 foot house. Standard house size on a 50 foot lot would be 34 foot wide in Spring Lake. The front step on the existing house is 24.25 feet, where 25 feet is required. It would be difficult for someone to perceive the discrepancy. The garage is 3.1 feet side yard setback and 2.7 feet rear yard setback. These existing non-conformities have existed for a long time. They could be granted under the C-1 criteria that it would be a hardship. Remedy of the non-conformities would require the applicant to eliminate the structure and steps, which would be a hardship on the applicant. Utilities can be run from Sussex Avenue. There was a discussion of the way to require that the curbs be replaced. Mr. Kociuba has developed a plan for the drainage and it will be subject to the review of the Board Engineer. On the interior lot, mature trees will be left. The developer of the corner lot will be subject the Borough's Tree Removal Permitting process. They will get approval from the Tax Assessor for the new lot numbers.

The new construction can face either street but will have to remain in the setbacks. The height of the new house will be regulated by the Borough Zoning rules. The drainage plan will be reviewed by the Board Engineer. The new construction will require review for engineering and drainage by the Zoning Officer. The new garage and driveway will have to meet setback requirements.

Peter Donnelly 409 Sussex requested two weeks to review the plans. The request will have to be a month since the Board will not meet until next month. Marisa Acocella 807 Fourth Avenue also requests one month to review the plans. Robert Gamgort 312 Sussex, since he was not noticed, also requests review time.

The applicant is willing to carry the matter to the next meeting.

Motion to carry the application to the July 12, 2017 at 7:00 PM in this room with no new notice required made by Judge, seconded by Rizzo. On a roll call Board Members Rizzo, Iannoccone, Burke, Judge, Goldstein, Deberardine, Burrus voted Aye. None no. Motion carried.

Ordinance No. 2017-005 Amendment to Chapter 225 Section 20 to require accessory structures to be removed when the principal dwelling is removed. There was a discussion of the circumstances where a variance might be in conflict with the ordinance.

Motion by Judge, seconded by Rizzo to instruct the Board Attorney to send a letter to the Council that the ordinance is consistent with the Master Plan. On a roll call Board Members Rizzo, Iannaccone, Burke, Judge, Drasheff, Goldstein, Deberardine and Burrus voted Aye. None no. Motion carried.

Ordinance No. 2017-006 Amendment to Chapter 225 Section 12D to increase the allowed garage size up to 5% or 750 square feet. There was a discussion of the practical application of the ordinance.

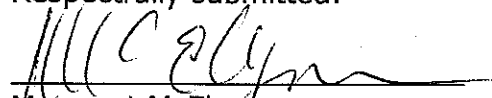
Motion by Judge, seconded by Rizzo to instruct the Board Attorney to send a letter to the Council that the ordinance is consistent with the Master Plan. On a roll call Board Members Rizzo, Iannaccone, Judge, Drasheff, Goldstein, Deberardine and Burrus voted Aye. Burke no. Motion carried.

Ordinance No. 2017-07 Amendment to Chapter 225 Section 9 to rezone from Retail Commercial to Residential. There was a discussion with interested parties about their feelings for and against the amendment. The duty of the Board is to decide if it is consistent with the Master Plan. The Board can request that the Council do additional review.

Motion by Judge, seconded by Iannoccone to instruct the Board Attorney to send a letter to the Council that the ordinance is consistent with the Master Plan but that due to the objection of the Giblin's, property owners on Jersey, the Council consider their objections. On a roll call Board Members Rizzo, Iannaccone, Burke, Judge, Drasheff, Goldstein, Deberardine, Burrus and Patterson voted Aye. None no. Motion carried.

Motion by Iannaccone, seconded by Rizzo to adjourn. On a voice vote all Members voted Aye. None No. Motion carried. Time 9:05 PM

Respectfully submitted:


Margaret McElynn
Board Secretary

