

**AMENDED MINUTES OF THE
SPRING LAKE PLANNING BOARD
APRIL 10, 2019**

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 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, Thomas Burrus, Lisa DeBerardine, Lisa DeBerardine, Laurie Koziol-Buckelew and Nick Sapnar.

Motion by Sapnar, seconded by Judge, that the minutes of the March 13 regular meeting be adopted. On a roll call vote Board Members Rizzo, Iannaccone, Burke, Judge, Burrus, DeBerardine, Buckelew and Sapnar voted Aye. None No. Motion carried.

RES#14-2019 Barber

Motion by Sapnar, seconded by Judge, to approve RES#14-2019. On a roll call Board Members Rizzo, Iannaccone, Burke, Judge, Burrus, DeBerardine, Buckelew and Sapnar voted Aye. None No. Motion carried.

CAL#12-2018 Spring Lake Bath and Tennis will be carried to May 8, 2019 at 7:00 in this room. No new notice is required.

CAL#3-2019 Spring Laker LLC

Board Member Burrus recused because it is a use variance.

Robert Ferraro, Attorney, introduced the application and noted that the parking space change was fractional.

Kelsey Pegler Jr., principal Spring Laker LLC, was sworn. He has Water Lily and Barre in the building now and is close to a deal for the empty retail use. The second floor over the empty space is approved for storage and he has tried to find a use as storage but it is an odd space. He grew up here and feels the vibrancy of downtown today. There are a significant number of apartments on the properties downtown. He would like to contribute to the vibrancy of the downtown with living space.

Ray Carpenter, Planner and Engineer, was sworn and accepted. There will be no external change to the property. They are requesting a use variance. A fair number of apartments already exist downtown.. Residential and retail uses have different time frames for parking. Storage would coincide with retail hours. Residential tends to be 6:00 PM – 7:00 AM and retail 9:00 AM – 6:00 PM. There is parking on Morris between Third and Fourth so it would not necessarily be in front of the building. He cited examples of Red Bank, Manasquan and Point Pleasant for promoting residential use and handling parking effectively to revitalize their downtowns. A residential unit would be a benefit and have less impact during retail hours. He cited studies that found that when people are encouraged to live downtown, they use local businesses. Current

apartments above many businesses do not create a parking problem. It is standard in town to have apartments above the retail use. It promotes the general welfare. If it were office use, they could use four spaces. Residential is compatible with current uses in the area and a less intense use of the space. There was a discussion with Mr. McGill of the special reasons for a use variance; including parking issues. The second floor use as storage cannot be rented out and there is difficulty in renting it as office space.

Walter MacGowan, 302 Washington and COO Marisa & Ale testified that he has a similar space on the second floor that has not been rentable as storage space. Marisa & Ale has 26 stores and 20 apartments so it would seem fair to let the applicant have 3 stores and 1 apartment. The Borough has aggravated the parking situation downtown and that should be considered in the application.

Mr. Ferraro summed up that parking would not be a negative since the apartment would be a less intensive use. The space is unmarketable as storage and an apartment is the one use that would result in a better parking situation. It is a benign use and does not violate the current uses in town.

Mr. McGill summarized the criteria for a use variance.

Motion by Judge, seconded by Burke to go into caucus. On a voice vote, all members voted aye. None No. Motion carried.

Motion by Judge, seconded by Burke to come out of caucus. On a voice vote, all members voted Aye. None No. Motion carried.

Motion by Iannaccone, seconded by Rizzo to approve the application. On a roll call Board Members Rizzo and Buckelew voted Aye. Iannaccone, Burke, Judge, DeBerardine and Sapnar voted No. Motion denied.


Mr. Burrus has rejoined the Board.

Mr. McGill explained that there were some minor changes to the wording of the ordinance after a final negotiation with the court and the Board needs to find that it is still consistent with the Master Plan.

Motion by Judge, seconded by Sapnar to draft a letter to the Council that the ordinance is consistent with the Master Plan. On a roll call Board Members Rizzo, Iannaccone, Burke, Judge, Burrus, DeBerardine, Buckelew and Sapnar voted Aye. None No. Motion carried.

Motion by Judge, seconded by Burke to adjourn. On a voice vote all Members voted Aye. None No. Motion carried. Time 8:33 PM

Respectfully submitted:


Margaret McElynn
Board Secretary