

**MINUTES OF THE  
SPRING LAKE PLANNING BOARD  
SEPTEMBER 13, 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.

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, Cindy Napp, Walter Judge, Robert Drasheff, Lisa DeBerardine, Thomas Burrus, Nicholas Sapnar.

Motion by Judge, seconded by Drasheff, that the minutes of the August 9, 2017 regular meeting be adopted. On roll call Board Members Rizzo, Iannaccone, Napp, Judge, Drasheff, DeBerardine, Burrus and Sapnar voted Aye. None No. Motion carried.

RES#15-2017 Hughes

Motion by Judge, seconded by DeBerardine to approve Resolution #15-2017 as amended. On a roll call Board Members Rizzo, Iannaccone, Judge, DeBerardine, Burrus and Sapnar voted Aye. Napp, and Drasheff abstained. None No. Motion carried.

RES#16-2017 Shell

Motion by Judge, seconded by DeBerardine to approve Resolution #15-2017 as amended. On a roll call Board Members Rizzo, Iannaccone, Napp, Judge, Drasheff, DeBerardine, Burrus and Sapnar voted Aye. None No. Motion carried.

CAL#5-2017 Pegler

1701 Third Avenue  
Block 99 Lot 20  
Bulk Variances

Robert Ferraro, applicant's Attorney, explained that the application is for an addition over an existing footprint of a single family home. There will be elimination of some pre-existing non-conformities. The applicant was always mindful of the impact to the neighbors.

Timothy Middleton, Attorney, will be representing Mr. & Mrs. Newman, who reside at 1707 Third Avenue.

Jason Lusardi, architect, was sworn and accepted. Mr. & Mrs. Pegler asked him to renovate an existing historic house to preserve it and plan an addition over the sunroom and garage.

The house needs a lot of work. The existing foundation is from 1876 and is 2 feet below grade. The house has asbestos siding, which will be removed. They will add a new roof and windows. There is no insulation so they will make the house compliant with the current energy code.

Exhibits were marked into evidence throughout the presentation.

The original house is 8 feet off the property line and the balance of the north side of the house is 5.3 feet off the property line. The sunroom sets back from the house by 5-6 inches on the Brighton Avenue side of the house. They will bring that into alignment with the rest of the house but they will eliminate a 3 ½ foot outcrop on the north side. There will be no change in building coverage: 28.5% existing, 28.5% proposed. Impervious coverage is currently 49.9% and they propose to reduce that to 42.6% where 40% is permitted. The client has agreed to shift the Brighton Avenue driveway over 4 inches to make it comply with the 2 foot buffer. They will shift the Third Avenue driveway to make it 2 feet off the property line and make it a strip driveway. If they adjust the two driveways as proposed, the impervious coverage will be further reduced to 40.9%. The house is a grand, center hall colonial with a wrap around porch. There are essentially 3 rooms with 10 foot ceilings on the first floor. The foyer is two stories with unique architectural detail. There are two 16' x 32' rooms; living room, dining room. There are 3 bedrooms on the second floor around the balcony over the foyer. There is a third floor, which will be art studio loft space. There is a stairway to the third floor that will be brought into compliance with the current code. The secondary and basement staircases will be rebuilt to code. Mechanicals will be upgraded to current code. They will keep the historical look and use materials that will be in keeping with the style of the house. The foundation will be redone and the basement area will be 6 ½ feet high all the way through. It will be unfinished, uninhabitable space. The goal of any addition is to make it look like it is a part of the original building. They tried to minimize the impact on the neighbor. They tried to keep the addition over the garage as low as possible. It will be 24 feet 6 inches above grade. The main orientation of the addition will be toward the south and Brighton Avenue. The north elevation will have limited windows: 2 high transoms and 2 windows in the master bath. There are existing conifer trees on the Newman property that buffer the properties. Because of his discussions with Mr. Middleton regarding the Newman's concerns, they will eliminate the generator and they will reduce the number of condensers from 5 to 4.

Mr. Middleton stated that the main concern is with the mass and length of the addition. The second story addition is 42 feet in length, which is 5.3 feet off the side yard shared with the Newmans. The length of the north side of the house is 103 feet. The current second story of the home is 8.2 feet off the property line. Building coverage will be 28.5% where 25% is required.

Mr. Middleton marked a picture into evidence. He asked if looking at the photo from the Newman property, toward the Pegler property, would increase any concerns about the impact that the project would have on the Newman's.

Mr. Lusardi tried to keep the addition aesthetically pleasing, continued the second floor for 18 feet then dropped it down over the garage to 24 1/2 feet, which is only 7 feet higher than a compliant 18 foot high garage would be. He does not see impact of shadows and does not believe it would cause a negative impact to the neighbors.

Was any consideration given to pushing the addition back away from the property line?

The intention was to keep the existing footprint. There is a flow into the existing house and if the rear of the house were pushed forward it would create a bottleneck in the floor plan. The windows on the north side of the house will be a closet and a bathroom. The bathroom windows could be made opaque. Current square footage of the house is 5771 square feet.

If the addition was moved to the south, it would increase the existing building coverage and impervious coverage. The hip roof makes the roof have less impact. They would consider making the closet and bath roof lower but it would depend on how the elevation looked.

Kelcey Pegler, applicant, stated that they have a real history in this home. He was married there since it was his wife's family home. They took possession in 2000. The intention was to really do it right for once. There is still knob and tube wiring. The main portion of the house is uninsulated. There are various layers of siding on the house, including asbestos. The rear portion of the house is a very tight mazelike area that is difficult to live in. They want to live in this house and pass it on to their children. They raised their eight children in this house. The house was built in 1876 and it is functional for grandiose type events but not for modern living. They want to restore it and bring those areas back to 1876. They want to insulate the house and use materials that are fitting with the time 1876. But they want to make it more comfortable to live. There are currently three bedrooms on the third floor that his children slept in. He was constantly worried about fire and had ladders to drop out the window. They want to fix the stairways and hallways and get rid of the knob and tube and bring everything up to code. When they designed the proposed addition, they had the Newman's in mind. They wanted the focus of the house to be the Community House. They informed the Newman's that they were intending to renovate the house. They sent them a package with the plans as a courtesy and were open to discussion about the project. The Newman property was subdivided from 1701 Third Avenue. They considered how the addition would affect light and shadow on the Newman property. He observed the light at various times of day for a couple of weeks. The shadow from the existing two story house never reached beyond the hedges between the properties.

Photos were marked into evidence. There was a discussion of what the photos showed.

Mr. Middleton, represented that his clients are concerned about shadow but more concerned about the mass of the building and that they would be looking at the side of a building.

There was a discussion of how shadows change with the seasons. Mr. Pegler stated that there is a 75 foot high sycamore tree on the south east side of his property that casts a longer shadow than the house. He has observed the light for the 17 years that he has lived there. He feels that they did figure out how to have the least impact on the Newman property.

James R. Newman, 1707 Third Avenue, was sworn in.

Some exhibits were marked into evidence.

Mr. Newman has concerns about the generator, condensers and the second story addition. He cannot see the garage or den on the Pegler property now because of the Leland Cyprus hedges on his property. They currently have a pleasant view from their patio of the sky and a tree and a corner of the Pegler house. He is concerned about what a second story addition will do to the vegetation on his property and that they will be staring at a solid wall. He is concerned that the addition will block light and air. Their house is approximately 15.3 feet from the Pegler house. The proposed second story addition would run the entire length of their backyard, creating a wall 25 feet high and 42 feet in length. Their present views and their privacy will be destroyed. Mr. Newman's air conditioners are 15 feet from the fence, which is on their property. They are happy that the Pegler's want to renovate but they want the addition to be farther away from their house.

Mr. Ferraro asked about an issue with the driveway on the north side of the Pegler property on Ludlow Avenue. He asked Mr. Newman if he understood that the Pegler's were going to bring the driveway into conformity. Mr. Newman stated that a condenser will be moved closer to their bedroom window.

Mr. Middleton summarized.

Mr. Ferraro summarized.

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

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

There was a five minute recess.

Meeting was brought back to order.

The application will be carried to October 11, 2017 at 7:00 in this room with no further notice required.

CAL#6-2017 220 Worthington Avenue, LLC  
220 Worthington Avenue  
Block 125 Lot 12  
Bulk variances

Michael Rubino, Attorney, explained the application. The current house and garage have many non-conformities. The proposed house will be 29 feet wide.

Steve Dalyai, 218 Worthington, immediately east of the subject property, was sworn. The existing house is at the property line to one foot off the property line. The house is falling apart and they would be delighted to have the house torn down.

Gregory DeTommaso is the youngest of four siblings who have formed 220 Worthington Avenue, LLC. They have 10 children between them and hope to build a vacation home for them to share. His wife grew up in Spring Lake Heights and attended St. Catharine and Manasquan. Her family still lives there.

Michael Melillo, Architect, was sworn and accepted. An exhibit was marked. The house will be a six bedroom house. The first floor bedroom will be a flex room, office/bedroom. The second floor has a hallway. Of the 29 foot plan, they needed to eliminate 1 ½ feet in walls so there is 27 ½ feet to work with. The master is 13 feet wide and the bedrooms on the other side are 11 feet. He tried to break up the elevation with some detailing. The first floor narrow dimension was a challenge. The kitchen, dining room, office/guest all at 13 feet and the living area is 14.9 by 23 feet. A portion of that space is circulation through the living room, which allows more like 12 feet for useable space. The house is 61 feet long. On Third Avenue, 18 of the 61 feet is porch. So that wall will be 15 feet further off the setback. They will provide calculations for the garage and half-story to Mr. Hilla.

Joseph Kocuiba, Engineer and Planner, was sworn and accepted. The property is a 7,500 square foot lot in the R-1 zone so it is half the size required. The R-2 zone is directly across Third Avenue. They will raze both structures on the property and do away with a non-conforming use. They will conform to the required setback on Worthington but request a setback of 15 feet on Third Avenue where the required setback is 25 feet. He measured the properties surrounding 220 Worthington. The house to the north has a 16 foot setback, across Third is 16.1 feet, southwest corner of Third is 27.4 feet and southeast corner of Third is 13 feet to the porch. They are requesting a 22 foot setback for the garage with a 22 foot garage to allow for the ability to get around a car parked in the garage. They may adjust the grading down about 12 inches in deference to the neighbor who would like to eliminate the retaining wall. They do need a variance for the grade change in the driveway. He feels that the application meets the C-1 criteria and is a hardship because of the undersized lot in an R-1 zone. They could also be granted under the C-2 criteria, where the benefits outweigh the detriments. They are eliminating a non-conforming second dwelling, relocating the dwelling from .4 feet off the property line to 6 feet and from a 19.2 front setback to comply at 25 feet

and they are relocating the garage with a 17.2 foot setback to 22 feet. All of these conditions will be bettered.

Motion by Judge, seconded by Rizzo to go into caucus. On a voice vote all Members voted Aye. None No. Motion carried.

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

Motion by Sapnar, seconded by Judge to approve the application with the condition that the applicant provide new curbs and sidewalks, further information to show compliance with the garage and half-story requirements and comply with the recommendations of the Board Engineer On a voice vote Board Members Rizzo, Iannaccone, Napp, Judge, Drasheff, DeBerardine, Burrus and Sapnar voted Aye. None No. Motion carried.

Motion by Judge, seconded by Rizzo to adjourn. On a voice vote all Members voted Aye. None No. Motion carried. Time 10:35 PM

Respectfully submitted:



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Margaret McElynn  
Board Secretary