

**AMENDED MINUTES OF THE  
SPRING LAKE PLANNING BOARD  
APRIL 11, 2018**

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, Cindy Napp, Walter Judge, Robert Drasheff, Melissa Smith-Goldstein, Lisa DeBerardine, Stuart Patterson, Thomas Burrus, and Nicholas Sapnar.

Motion by Sapnar, seconded by Judge, that the minutes of the March 14, 2018 regular meeting be adopted. On roll call Board Members Rizzo, Iannaccone, Napp, Judge, Drasheff, Goldstein, DeBerardine, Patterson, Burrus and Sapnar voted Aye. Burke abstained. None No. Motion carried.

RES#11-2018 Guerci 100 Atlantic Avenue

Motion by Sapnar, seconded by Judge to approve Resolution #11-2018. On a roll call Board Members Rizzo, Napp, Judge, Drasheff, Goldstein, Deberardine, Patterson and Sapnar voted Aye. Iannaccone, Burke, and Burrus abstained. None No. Motion carried.

RES#12-2018 Conheeney 307 Fourth Avenue

Motion by Sapnar, seconded by Judge to approve Resolution #12-2018. On a roll call Board Members Rizzo, Napp, Judge, Drasheff, Goldstein, Deberardine, Patterson and Sapnar voted Aye. Iannaccone, Burke, and Burrus abstained. None No. Motion carried.

CAL#5-2018 McHugh 2116 Edgewood Place will be carried to 5/9/2018 at 7:00 PM in this room. No new notice is required.

CAL#9-2017 1505 Ocean Ave LLC carried from 3/14/2018. Councilman Drasheff and Mayor's Designee Goldstein stepped down from the Board since the applicant is seeking a "D" variance. Mr. Aikens referenced revised plans dated 2/22/18 and called Mr. Burdick to testify. He remains under oath. The south side of the building will be gated with self-locking gates. There will be 4 groups of 4 seats on a stone bed with landscape beds on the edge. The area will be for hotel guests only with key access. The area will have signs indicating that it is for hotel guest use only. No beverage or food service will be provided to the area. The rear exit will be for emergency access only. In consultation with a landscape architect, the applicant has installed a row of pear trees along the southern portion of the seating area. While they are deciduous trees and will be bare in winter, in the summer, when the area is most in use, they will create a strong buffer in that area. The dumpster structure was removed to avoid a

variance but is buffered by fencing. They added low level landscaping to the rear and low level lighting. They propose ornamental grass in the rear area. Hotel guests would be able to bring there own beverages but cannot purchase from the bar in the fenced off area. There will be no music in that area.

Mike Zimmerman remains under oath. He tried to address the concerns of the Board and neighbors. He is installing new vinyl siding, azek on the porch, and all new ceilings and lights. Landex is his landscaping consultant. The pear trees will be an immediate 14-16 foot buffer. He will have to treat and wrap them in the winter but he feels it will be a better buffer than Leyland cypress, which will take a few years to grow into a good buffer. The privet hedge, on the lower side of the driveway, is coming back in and if any of those don't make it Landex will exchange it. He has painted and cleaned the first floor. Some pictures were marked into evidence depicting the improvements. Restaurant guests will wait in a side room to the left of the entrance. Grass could be planted on the south seating area and it will be non-smoking. They fired Waste Management and hired Republic Marpal. They cannot pick up on weekends. Violations of the agreement by Waste Management seemed to be a bigger problem.

Robert Delaney asked about dealing with the smell of the trash on the weekend?

Judy Parentela asked how will you control the animals near the dumpster?

Mr. Zimmerman is happy to do what he can to accommodate the neighbors concerns. He can build a full enclosure, which would require a variance, or go back to Waste Management.

Joseph Scardino asked if the music will be the same as last year? They will not have live music on the porch.

Richard Lapinski, Professional Planner, is still under oath. He noted that there was not a substantial effort to buffer the southern and western property lines. The rear yard parking is still inadequate. The truck maneuverability is inadequate. He was surprised at the improvements on the south side of the building prior to Board approval. He sees enforcement issues to ensure compliance with the plan to restrict the seating area. The handicap bathroom is not a public improvement and not contingent on the addition. It is a code compliance issue. There is nothing in this application that addresses the environmental requirements in the land use law. There is nothing in the public good. This is a commercial project. Site plan approval would be required for the fence and seating area, which is an expansion of a non-conforming use. A floor plan from a 1991 ABC application dated 7/17/91 was marked into evidence. There were guest rooms on the first floor. The dining room as it exists today is expanded from what is shown on the 1991 plan. As a planner, he sees a restaurant as a different use than a Bed & Breakfast. This pre-dates the 1999 resolution. There was a discussion of the exhibit and the 1999 plans.

CAL#9-2017 1505 Ocean Ave LLC will be carried to 5/9/2018 at 7:00 PM in this room with no new notice required.

CAL#3-2018 Wixted

2011 Fourth Avenue  
Block 116 Lot 2

Michael Rubino marked some items into evidence. The property has a driveway owned by neighboring property owners at the rear line, which causes the need for the garage variance.

Brian Wixted, was sworn in. They have lived in Colorado for 19 years but have always come back to the east coast to be near the ocean. They would like a bigger house to accommodate their family as they grow. They would need a variance to add a second story to the current house. It is more economical to build new. They want to have some back yard. They will address all items in the engineer's letter with the exception on of the retaining wall.

Paul Grabowski, architect, was sworn and accepted. The lot is undersized. They have reduced the relief to 15 feet on the Worthington Avenue side. The setbacks step back 18 feet to 16 feet to 15 feet and varied rooflines to create interest. The current garage sits right on the driveway. They want to place the new garage at 3 feet off the property line to allow for landscaping and safety. He tried to create two fronts to accommodate the corner lot. There will be a two foot separation between the driveways and the curb cut will be conforming. The condensers will be on top of the garage. The curbs and sidewalks will be done. There was a discussion of the retaining wall. There will be a drywell. There will be some trees removed because they will be in the footprint of the new home. The regrading will be close to two feet. The shower will be moved to comply. The plan will be half story compliant.

Joseph Kociuba, engineer and planner, was sworn and accepted. Because of the asphalt driveway in the rear, they have drainage relief on three sides. He sees no drainage problems. The grade will creep up to the remaining/replacement wall. Service will be underground. The 15 foot setback will be 30 feet from the curb. They will eliminate the violation on the Fourth Avenue side. They are proposing a house that is 26 – 28 feet wide. A conforming house would be 19 feet and narrow. The garage is 22 x 20 feet, which is smaller than many other applications, and will be 13 feet from the neighboring property. They will need a variance for the front yard setback of 21.67 feet for the detached garage. The peculiar right of way creates a unique situation. The Board granted relief for a 15 foot setback to the property across the street and the corner lot one block down also has a 15 foot setback.

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

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

Motion by Sapnar, seconded by Judge to approve the application with the conditions that the shower be moved to comply, air conditioning and generator will be 10 foot setback, the site plan will be revised to reflect the 15 foot setback and the two foot driveway setback, utilities will be underground and they will comply with the engineer's comments. On a voice vote

Board Members Rizzo, Iannaccone, Burke, Napp, Judge, Drasheff, Goldstein, DeBerardine, Patterson, Burrus, and Sapanr voted Aye. None No. Motion carried.

CAL#4-2018 Reed  
10 Tuttle Avenue  
Block 108 Lot 10

It was agreed that the applicant would not need to go for a use variance since they can use the Vroom Avenue side to measure the height.

Mr. Rubino marked some items into evidence.

Marie Reed grew up in Spring Lake and lives here with her two children. She has built a couple of houses in Spring Lake. The house is very old and has some structural issues. It would be prohibitively expensive to renovate. The existing grade is 4-6 feet above the curb and would affect the height of a compliant house, negatively. She will be putting her service and her neighbor's service underground. The Curto's who are neighbors on Ocean Avenue have specifically asked her to replace the wall. There was a fire in the garage and the previous owners had a valid permit to put the apartment back into the garage. She would eliminate the living space and only have electric in the garage.

James Anderson, architect, was sworn and accepted. The house has structural issues and floor plan issues and is not useable. It would have to be significantly altered. They are requesting a height variance to keep the house consistent with the historic style of the town and especially the houses on Tuttle. They need the height to make the house well proportioned. If they complied with the height requirement, the house would look squat. The new house will have less impact on the view down Tuttle. The mass will gravitate into the middle of the site. The house will be one inch lower than the existing house. All of the homes but one in the neighborhood would require a variance today. On a google earth photo, he pointed to 7 Tuttle is 41.2 feet, 9 Tuttle complies at 31.2 feet but looks squat. Going down the block heights are 41.5, 50, 39, 44 and 44 feet respectively. The house across the street on Adrian is at 36.5 feet. The house is designed to have a subtle and articulated look, not a big box. The porch is characteristic of Spring Lake and the roofline has some variation in it. He paid close attention to historical detail. The curb cut will be 12 feet. Mechanical equipment will conform. New curbs and sidewalks will be added. The basement entrance will have a drywell. They may use the same brick that is used on the chimney for the wall.

Robert Burdick, engineer and planner, was sworn and accepted. Sandstone deteriorates and the wall holds back 6 feet of elevation. There are many brick faced walls in the area. Part of FHA requirement is that the slope from the home be no more than 10% for 10 feet out. If they eliminated the wall, vegetation would come out. At the bottom of the basement stairwell, they will have a drywell. There will be an under basement drainage system. The driveway curb cut will be 12 feet. They will move the AC and pool equipment four feet.

Allison Coffin, planner, was sworn and accepted. C-1 standard allows for something unique about the site that creates a hardship. C-2 when the municipal land use law purposes are being advanced and the benefits outweigh the detriments. It is her opinion that this application could be approved under either standard. The height does not increase the floor area or the intensity of the use. It is created due to the unusual topographic conditions on site, a severe grade change from the curb to the top of the site. The height will be lower than the existing home and in character with the houses in the immediate area. The house will be set back so that the height will not cause a detriment to light, air and open space for the surrounding neighborhood. Replacing the wall will provide a more desirable visual environment. The garage is a legal pre-existing structure. No changes are proposed to the garage but the non-conforming use will be abandoned. The setting of the house will allow for more open space and a better site line to the ocean from the west. The house will fit in with the character of the neighborhood. It supports the Master Plan in promoting the residential and historic character of the neighborhood. A conforming garage would be 30 square feet smaller and 2 feet 7 inches lower. Since it is recently rebuilt, it presents a unique condition and would be a waste to take it down for a small amount of gain.


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

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

Motion by Judge, seconded by Drasheff to approve the application with the condition that they move the pool equipment within the 10 foot buffer, get approval from the town to rebuild the wall, curb cut will be reduced to 12 feet, any use not allowed will be removed from the garage. On a roll call vote Board Members Rizzo, Iannaccone, Burke, Napp, Judge, Drasheff, Goldstein, DeBerardine and Sapnar voted Aye. None No. Motion carried.

Motion by Sapnar, seconded by Burke to adjourn. On a voice vote all Members voted Aye. None No. Motion carried. Time 10:00 PM

Respectfully submitted:

  
Margaret McElynn  
Board Secretary

