

**MINUTES OF THE
SPRING LAKE PLANNING BOARD
JUNE 11, 2008**

The regular meeting of the Spring Lake Planning Board was held on the above date at 7:30 PM in the Municipal Building, Fifth & Warren Avenues, Spring Lake, NJ.

Chairwoman Colleen Panzini 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: Michael Burke, Cindy Napp, Colleen Panzini, Walton Kingsbery, Walter Judge, Dave O'Malley and Dawn McDonough.

Motion by Kingsbery, seconded by Judge, that the minutes of the May 14, 2008 meeting be approved. On roll call Board Members Burke, Panzini, Kingsbery, Judge and O'Malley voted Aye. None No. Motion carried.

Chairwoman Panzini made the following announcement:

Cal 3 - 2008 Pizzo has been adjourned to September 10, 2008

Cal 10-2 007 Mary Holder Agency has been postponed indefinitely

Cal 19-2007 Gosline has been adjourned to September 10, 2008

Cal 26-2007 Coleman has been adjourned to September 10, 2008

Board Attorney George McGill read Resolution #18-2008 Migrala to the Board.

Motion by Kingsbery, seconded by Panzini, that Resolution #18-2008 MIGRALA be adopted. On roll call Board Members Burke, Panzini, Kingsbery, Judge and O'Malley voted Aye. None No. Motion carried.

Chairwoman Panzini asked the Board Members to give their opinion on Proposed Ordinance 7-2008 for the downtown area improvement.

Richard Clayton, head of the Business Improvement District committee, handed out a brochure showing various other towns and how they have handled outdoor displays. He also went into some detail about what would be allowed on the street outside a store and what would not be allowed.

The Board Members discussed the proposed ordinance and authorized Board Attorney McGill to write to the Mayor and Council and advise them of the following changes they would like to see in the proposed ordinance:

1. That the Mayor & Council review Section 2G and eliminate the wording permitting the outdoor display of mannequins.
2. That the Mayor & Council review Section 2C and change the wording to reflect that the merchandise on display must be within 30 inches of the store front rather than the property line.

3. That the Mayor & Council review the provisions of Section 2K and remove the phrase “with merchandise on display” to as to be certain that no signage will be permitted in any event pursuant to this ordinance.

**CAL 16-2007 DESIDERIO
25 TUTTLE AVE**

Board Member Walton Kingsbery recused himself.

Michael Rubino, Esq., attorney for the applicants, informed the Board that the applicants have revised their original plan to reflect a less intense remodeling. He then had the exhibits marked into evidence.

Robert McGuffin, applicant’s architect, testified to the changes he made on the plans. The original plans called for a two story addition at the rear of the building and that plan has been abandoned. They will also eliminate 2 parking spaces in the rear. The rentable rooms have been reduced from 12 to 9.

Mr. McGill reviewed the variances that are now needed: expansion of use, side yard, existing lot coverage, reduced driveway area, reduced impervious surface, existing building height and existing distance of building to accessory building which is not changing.

Dr. Peter Semple, a neighbor, is in favor of the application. Eleanor Twomey, 108 Vroom Ave, asked about the height of the building which is a business and was told that it is in a residential zone.

Motion by Judge, seconded by Burke, that the Board go into caucus. On roll call Board Members Burke, Napp, Panzini, Judge, O’Malley and McDonough voted Aye. None No. Motion carried.

Motion by Judge, seconded by Burke, that the Board come out of caucus. On roll call Board Members Burke, Napp, Panzini, Judge, O’Malley and McDonough voted Aye. None No. Motion carried.

Motion by Judge, seconded by Burke, that the ‘use’ variance be approved. On roll call Board Members Burke, Napp, Panzini, Judge, O’Malley and McDonough voted Aye. None No. Motion carried.

Motion by Judge, seconded by Burke, that the bulk variances be approved. On roll call Board Members Burke, Napp, Panzini, Judge, O’Malley and McDonough voted Aye. None No. Motion carried.

**CAL 2-2008 O’CONNOR
200 Atlantic Ave**

Michael Rubino, Esq. attorney for the applicant, had the exhibits marked into evidence.

Mr. Rubino explained that the property in questions is an undersized lot in the R-1 zone. It is a corner lot which measures 100 ft X 75 ft. A variance is needed for the lot width and area. They are also requesting a side (front) yard setback variance along Second Avenue.

Christopher Rice, the applicant's architect, and the applicant, Patrick J. O'Connor were sworn in. Mr. O'Connor stated that they have lived in town for about 2 1/2 years and he works in Ocean County. He knew it was an undersized lot but he thought he could still build a house. There is no heat or a/c on the second floor and they have 2 young children and it gets quite cold. The electricity is not reliable. The two children share a room but the O'Connor's would like them to have separate rooms. They also need rooms for their two sets of parents who now alternate their visits during the week and on the weekend. The applicant also needs a variance for the front yard on Second Avenue. Mr. O'Connor was questioned by the Board Members.

Christopher Rice was sworn in and went into more detail about the house and the variances requested.

Mr. McGill pointed out that the proposed 4 ft fence on Second Ave is actually in the front yard and must be moved back behind the house. It was also decided that if the a/c unit is behind the turret, it can be considered behind the house.

Mr. Rubino made his final statements.

Motion by Judge, seconded by Burke, that the Board go into caucus. On roll call Board Members Burke, Napp, Panzini, Kingsbery, Judge, O'Malley and McDonough voted Aye. None No. Motion carried.

Motion by Kingsbery, seconded by Burke, that the Board go into caucus. On roll call Board Members Burke, Napp, Panzini, Kingsbery, Judge, O'Malley and McDonough voted Aye. None No. Motion carried.

Motion by O'Malley, seconded by Burke, that the application be approved with the conditions that the driveway conform and the fence be moved back to the rear yard. On roll call Board Members Burke, Napp, Kingsbery, Judge, O'Malley and McDonough voted Aye. Panzini and Judge voted Nay. Motion carried.

9:20 PM

CAL 4-2008 NEWMAN

1200 SECOND AVE

Michael Rubino, Esq., attorney for the applicant, had the exhibits marked into evidence. Mr. Rubino announced that this house is located within the Molony Estate, on Second Ave between Morris and Jersey Avenues. The applicant would like to install a pool in the side yard instead of the rear yard because the rear yard is very busy and his neighbor has his pool right there in his rear yard. The neighbor is agreeable to this. There is an old arch on the property which straddles the property line and which is deed restricted and must remain. The proposed house is a true 2 story house, there is no third floor.

Cheryl Bergailo, P.P., Michael J. Newman, the Applicant, Christopher Rice, Architect, and Ray Carpenter, P.E., P.P. were all sworn in.

Mr. Newman told the Board Members about his family. They live in Chatham, but have a history in Spring Lake since they once owned the Spring Lake Hotel and would like to build this house to use for the summer and weekends and eventually retire here. They would like to have this house look like it's been there for a long time and not look new. The house that is presently there has never had any updates since it was built and Mr. Newman was advised to just demolish it and build a new house. He also intends to have a cabana for the pool. Mr. McGill pointed out that the masonry arch would need a variance for accessory structure square footage. Mr. Newman was then questioned by the Board Members.

Christopher Rice, A.I.A. reviewed the proposal for the Board.

Barry Jones, 117 Jersey Ave, next door to the Newmans had questions about the driveway which were answered to his satisfaction.

Ray Carpenter, P.E., P.P., spoke about the existing conditions and the proposed drainage. Water will run off into the drywell. The driveway also pitches away from the house and down to the street. Only one tree will be removed.

Cheryl Bergailo, P.P. reviewed the planning restraints on this property, such as a corner lot with 2 front yards, a wrought iron fence on both frontages, an existing, deed restricted arch, and mature trees. Also, the existing opening in the gate and the driveway. The variances can be granted under both the C1 and C2 criteria.

Motion by Burke, seconded by Judge, that the Board go into caucus. On roll call Board Members Burke, Napp, Panzini, Kingsbery, Judge, O'Malley and McDonough voted Aye. None No. Motion carried.

Motion by Burke, seconded by Napp, that the Board come out of caucus. On roll call Board Members Burke, Napp, Panzini, Kingsbery, Judge, O'Malley and McDonough voted Aye. None No. Motion carried.

Motion by Panzini, seconded by Judge, that the application be approved. On roll call Board Members Burke, Napp, Panzini, Kingsbery, Judge, O'Malley and McDonough voted Aye. None No. Motion carried.

Motion by Panzini, seconded by Kingsbery, that the meeting adjourn. On roll call all Board Members voted Aye. None No. Motion carried. Time: 10:25 PM.

Respectfully submitted:

Board Secretary