

**MINUTES OF THE
SPRING LAKE PLANNING BOARD
MARCH 12, 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.

Cindy Napp and Walter Judge were sworn into new terms by Board Attorney George McGill.

The Board Secretary called the roll for attendance. Present were Joseph Rizzo, Nicholas Sapnar, Michael Burke, Cindy Napp, Colleen Panzini, Walton Kingsbery, Meghan Frost, Walter Judge, David O'Malley and Dawn McDonough.

Motion by Sapnar, seconded by Rizzo, that the minutes of the February 12, 2008 meeting be approved. On roll call Board Members Rizzo, Sapnar, Burke, Panzini, Kingsbery, Frost, Judge, and McDonough voted Aye. None No. Motion carried.

Chairwoman Panzini announced that Cal 10-2007 Mary Holder Agency has been adjourned to the June 11, 2008 meeting and Cal 19-2007 Gosline has been adjourned to July 9, 2008.

Board Attorney George McGill read the resolutions to be adopted.

Roccasano Resolution #12-2008

Motion by Rizzo, seconded by Sapnar, that Resolution #12-2008 Roccasano be adopted. On roll call Board Members Rizzo, Sapnar, Burke, Panzini, Kingsbery, Frost, Judge, and O'Malley voted Aye. None No. Motion carried.

TIESI Resolution #14-2008

Motion by Burke, seconded by Kingsbery, that Resolution #14-2008 Tiesi be adopted. On roll call Board Members Rizzo, Sapnar, Burke, Panzini, Kingsbery and Frost voted Aye. None No. Motion carried.

**CAL 24-2007 BOGDAN 7:36PM
2220 FIRST AVENUE**

Gregory Vella, Esq., attorney for the applicant, reviewed the variances that he is seeking from the Board. Mr. Vella explained that when the house was completed it became clear that the steps from the back deck encroach into the setback.

Lori Bogdan, the applicant, was sworn in and Mr. Vella asked her to explain how this happened.

Mrs. Bogdan said that, by mistake, the contractor extended the back porch by 11 inches and it would be a hardship to rip up the deck for 11 inches.

Mr. Vella said that this would not be detrimental to the Master Plan or the adjoining properties. To change the step would create a safety issue. He feels that this variance request is extremely diminimus.

There were no questions or comments from the public.

Motion by Sapnar, seconded by Frost, that the Board go into caucus. On roll call all Board Members voted Aye. None No. Motion carried.

Motion by Napp, seconded by Sapnar, that the Board come out of caucus. On roll call all Board Members voted Aye. None No. Motion carried.

Motion by Frost, seconded by Sapnar, that the variance request be granted. On roll call Board Members Rizzo, Sapnar, Burke, Napp, Panzini, Kingsbery, Frost, Judge, O'Malley and McDonough voted Aye. None No. Motion carried. 7:46 PM.

**CAL 23-2007 LANGSTINE 7:47PM
2005 FIFTH AVE**

Michael Rubino, Esq., attorney for the applicant, had the exhibits marked into evidence and reviewed the requested variances for the Board. These variances include expanding the dormers and renovating the garage. Mr. Rubino had his first witness, the applicant Maryellen Langstine, sworn in. Mrs. Langstine testified that she purchased the house in 1997 as a summer home and moved down permanently in 1998. Mrs. Langstine has done some major renovations in the house and needs the dormers moved in order to gain closet space in the bedrooms on the second floor. The look of the house will not change. The flat roof on the garage is unsightly and a safety hazard in that children sometimes climb on the roof to play.

Mrs. Langstine has spoken to her neighbors and informed them of her intentions. Her neighbors are in favor of the proposed plans. Mrs. Langstine was questioned by the Board Members.

Sal Santoro, the Architect, was sworn in and accepted as an expert. Mr. Santoro further reviewed the proposed plans for the house and garage. Mr. Santoro explained how moving the dormers would increase the inner space by 95 sf. The garage is structurally sound and he plans to replace the flat roof with an A-frame roof. He is not increasing the height. Mr. Santoro was questioned by the Board Members.

Marge Irving, 2007 5th Avenue, a neighbor commented that these proposed changes would be a wonderful improvement.

Motion by Sapnar, seconded by Rizzo, that the Board go into caucus. On roll call all Board Members voted Aye. None No. Motion carried.

Motion by Kingsbery, seconded by Burke, that the Board come out of caucus. On roll call all Board Members voted Aye. None No. Motion carried.

Motion by Panzini, seconded by Rizzo, that the variances be granted. On roll call Board Members Rizzo, Sapnar, Burke, Napp, Panzini, Kingsbery, Frost, Judge, O'Malley and McDonough voted Aye. None No. Motion carried. 8:24 PM

**CAL 16-2007 DESIDERIO 8:24PM
25 TUTTLE AVE**

Board Attorney McGill explained that this is a 'use' variance and therefore, Mr. Rizzo, as a Councilman, and Mrs. Frost, as the Mayor's Designee and Mr. Kingsbery, who lives within 200 ft of the applicant may not vote.

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

Mr. Rubino explained that there are 3 conditions that make this application a use variance; it is a Bed & Breakfast which is a non-conforming use, the Building height is more than 38.5 ft. even though this application will not affect the height and the rear building, the cottage, is used for living purposes. There are 13 rooms that are available for rent and the Desiderios intend to move down permanently and turn the "Marra" quarters into living area for themselves and they want to enclose the porch in the 'Marra' quarters. The neighbors have no objection to the proposed changes. The rooms that are rented out would decrease from 13 to 9. The accessory building is used for family and not for rental purposes. They are licensed for 25 rental rooms. They are also reducing impervious surface by eliminating the basketball court and some parking spaces. Mr. Rubino believes that they are reducing the non-conformity.

Hellin Desiderio, the applicant, was sworn in and is the owner of the Johnson House which has been in the family for over 40 years. One of the smaller rooms would be converted to a closet for the Desiderio's living quarters. Their oldest daughter's family uses the third floor living quarters. The dining room and common rooms would remain. The parking spaces would be reduced from 11 to 7. The Inn is open from May through September. Not all the rooms are heated.

Eleanor Twomey, 108 Vroom Ave, asked if the Mara rooms had heat and was told that they did.

Robert McGuffin, applicant's architect, was sworn in and accepted as an expert by the Board. In order for the family to move here year round, their personal living space needs to be expanded.

Mr. Burke pointed out that the deck should be counted as lot coverage which makes the increase in the footprint considerable. The existing living space on the first floor is 500 sf and proposed is 1,400 sf.

Board Members questioned Mr. McGuffin further regarding the considerable increase in living space. Some Members pointed out that this could become a very large single family home at some point in the future.

Eleanor Twomey, 108 Vroom Ave, asked if the neighbor to the South on Tuttle Ave had any objections and was told that they did not.

Cheryl Bergailo, P.P., the Applicant's Planner, was sworn in and accepted as an expert by the Board. Ms. Bergailo pointed out that two of the variances would be improved, though not eliminated, and they are driveway coverage and total impervious coverage. They will be decreasing the size and intensity of the non-conforming use of a B&B, but they are expanding the size of the building that contains the non-conforming use. Ms. Bergailo pointed out that the 3 B&Bs that were next to each other have been there for almost 100 years and have established the character of the neighborhood. By retaining some of the rental rooms, it is consistent with the goal of the Master Plan to provide seasonal accommodations and preserve an existing structure including the wrap around porch.

Lyle Marlowe, 221 Worthington Ave, complimented the Board Members on all the work they do and said that he once owned a B&B and can appreciate the problems that the applicant has. He would like to say that he approves of this application.

Eleanor Twomey, 108 Vroom Ave, does not think that the proposed 'bump out' will create an ugly situation. She is of the opinion that it will look more residential.

Mr. Rubino was given a few moments to confer with his clients and then Mr. Rubino requested that they be allowed to think it over and come back either for a vote next month or come again at a future date with revised plans.

It was decided that they can come back in April just for a vote on what was presented tonight or if they revise the plans, come back at a future date to present them to the Board

Motion by Sapnar, seconded by Burke, that the Desiderios may come back to the Board in April for a final vote or, if they choose to revise the plans, come at a future date with new plans. On roll call Board Members Sapnar, Burke, Napp, Panzini, Judge, O'Malley and Mc Donough voted Aye. None No. Motion carried. 10:33 PM.

INFORMAL – WHIPPLE 10:35
401 ST. CLAIR AVE

Michael Rubino, Esq., attorney for Mrs. Whipple, explained that the applicant would like to subdivide the property into two lots. This property is in the R-1 Zone and is a corner lot with 22,000sf. The new lots would be 7,500sf and 15,000sf. The smaller lot would comply with the R-2 zone requirements and the larger lot would comply with the R-1 zone requirements. Mr. Rubino is aware that the Board has been reluctant to create undersized lots but would like them to consider this situation. The house was built in 1915 by the man who started the Asbury Park Press. Most of the interior is original. Mrs. Whipple is reluctant to sell the lot as it is because most interested parties want to demolish the house. Right now, it is a burden for her to keep the whole property, but she would like to keep the house and larger of the two proposed lots and sell the smaller lot.

Motion by Sapnar, seconded by Rizzo, that the meeting adjourn. On roll call all Board Members voted Aye. None No. Motion carried. Time: 11:04 PM.

Respectfully submitted:

Board Secretary