

**MINUTES OF THE
SPRING LAKE PLANNING BOARD
MAY 14, 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.

George McGill, Board Attorney, informed the Board that they had a quorum to conduct business but did not have enough members present to hear CAL 16-07 Desidario which is a 'use' variance.

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.

At this time Chairwoman Panzini asked for a moment of silence for Randy Marks, a Borough Employee who had passed away.

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

Motion by Burke, seconded by Judge, that the minutes of the April 9th meeting be adopted. On roll call Board Members Sapnar, Burke, Panzini, Judge and O'Malley voted Aye. None No. Motion carried.

Mrs. Panzini announced that the Mary Holder application has been adjourned to June 11, 2008 at 7:30 PM in this room and also that the Gosline application has been adjourned to July 9, 2008 at 7:30 PM in this room.

Board Attorney McGill reviewed Resolution #17- 2008 FLORENTINE for the Board Members. Motion by Sapnar, seconded by O'Malley, that Resolution #17-2008 be adopted as amended. On roll call Board Members Sapnar, Panzini and O'Malley voted Aye. None No. Motion carried.

Chairwoman Panzini asked Mr. Rubino to wait a few minutes to see if another Board Member shows up so that Mr. Rubino agreed.

Neither the applicant, Mr. Pizzo, nor his attorney, Mr. Bonello, were present and Mrs. Panzini decided to see if they showed up before the end of the meeting.

**CAL 1-2008 MIGRALA
424 BRIGHTON AVE**

Michael Rubino, Esq., attorney for the applicant, had his exhibits marked into evidence. Walter Migrala, the applicant was sworn in and stated that he lived in town for 10 years at another address and shared a driveway with a neighbor who was problematic and would like to purchase this property and demolish the present house and replace it with a pre-fab. Mr. Rubino explained that there is no architect involved because companies that make pre-fabricated houses have in-house professionals and the State makes provisions for those circumstances. The land is 5 ft above grade and this creates a problem with the garage. The applicant would like to have a 2 car garage so that they can keep their cars off the street which is at a busy intersection. For this reason the applicant needs a variance for the distance between the house and the accessory building. Mr. Migrala was questioned by the Board Members.

Ray Carpenter, P.E., P.P. was sworn in, gave a further explanation of the proposed plans, the elevations and was questioned by the Board Members.

Eleanor Twomey, 108 Vroom Ave, asked if the attic would remain unfinished and was told that it would.

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

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

Motion by Rizzo, seconded by Panzini, that the application be granted with the stipulations that the utilities go underground and the grade changes discussed be included. On roll call Board Members Rizzo, Sapnar, Burke, Panzini, Kingsbery, Judge and O'Malley voted Aye. None No. Motion carried.

The Chairwoman announced that Desidario would be adjourned to the June 11th at 7:30 PM in this room.

Mrs. Panzini also announced that the Pizzo application has been called twice and no one has appeared. This application will be adjourned to the July 9th meeting at 7:30 PM in this room.

**CAL 26-2008 COLEMAN
301 WEST LAKE DRIVE**

Michael Rubino, Esq. attorney for the applicant, had his exhibits marked into evidence and briefly explained what his client proposes to do with the property. Mr. Rubino explained that this is a triangular shaped lot. The house has been in the family for many years and is

in need of upgrading. Mr. Rubino also informed the Board that the next door neighbor had a few objections and they have worked them out provided that the Board grants approval. Variances are needed for the placement of the a/c units, for part of the addition, for the small roof deck, an additional deck and two additions to the front of the house.

John Coleman, the applicant was sworn in and gave the background of the house which is 100 years old. Mr. Coleman is the fourth generation to own this home. Although Mr. Coleman owns a garage which is down the street on another lot, he would like to add a driveway to this house. The Board Engineer, Chas Holloway and Board Attorney, George McGill pointed out to the Board that the driveway ordinance states that a driveway must lead to a side yard so that cars are not parked in the front of the house. After much discussion, it was decided that the Board did not have the authority to grant the driveway.

Mr. Coleman was then questioned by the Board Members. Mr. Coleman lives in NYC and uses this house in the summer and on weekends in the rest of the year. Some Board Members objected to the roof deck because of the possibility of having furniture and awnings on the deck and Mr. Coleman assured them that he intends to put only chairs on the deck.

John Brennan, Esq. attorney for objector Keveaney, questioned Mr. Coleman about purchasing the property and was he aware at the time that this was a triangular shaped lot and the driveway for this property was almost a block away. Mr. Coleman acknowledged this. Mr. Coleman also stated that he provided Mr. Keveaney with a set of plans and called him on the phone a number of times but Mr. Keveaney did not return his calls.

Lynn Kegelman, Esq. commented that Mr. Coleman has been most cooperative with her client who lives next door to the Colemans and did have some concerns about the proposed plans. Those concerns have been addressed by Mr. Coleman.

John J. Lederer, applicant's architect, was sworn in and accepted by the Board as an expert. Mr. Lederer testified that he is trying to maintain the original look of the house. He answered some of the Board Members concerns.

Cheryl Bergailo, P.P. was sworn in and accepted as an expert. Ms. Bergailo's exhibits were marked into evidence. Mr. Rubino asked Ms. Bergailo to review the requested variances and offer some justification for the granting of the variances.

Eleanor Twomey, 108 Vroom Ave, is of the opinion that this proposal will look splendid.

Mr. Brennan introduced his witness, Timothy FitzPatrick, P.E., P.P., and had his exhibits marked into evidence. Mr. FitzPatrick gave his credentials and was accepted by the Board as an expert. Mr. Brennan said that his clients, M/M Keveaney, who live on the corner of Mercer and Fourth Avenues, find that the garages and driveways create a lot of busy activity, and object to the front yard becoming the backyard and the visibility of the activity that will be taking place on his client's deck and the overall impact of the

development. He questioned Mr. FitzPatrick to ascertain that he had familiarized himself with the property in question. Mr. FitzPatrick gave his professional opinion of the impact of this proposal on his client's views. He was then questioned by the Board Members.

At this point, Chairwoman Panzini announced that this matter would have to be adjourned to the August meeting. Mr. Rubino suggested that he would agree to that but would like to be considered for the June meeting if a case was removed from that meeting. This was agreeable to all concerned.

Motion by Judge, seconded by Sapnar, that the meeting adjourn. On roll call all Board Members voted Aye. None No. Motion carried. Time: 11:00 PM.

Respectfully submitted:

Board Secretary