

**MINUTES OF THE
SPRING LAKE PLANNING BOARD
MAY 12, 2010**

The regular meeting of the Spring Lake Planning Board was held on the above date at 7:30 PM in the Municipal Building, 423 Warren Avenue, 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 Joseph Rizzo, Nicholas Sapnar, Michael Burke, Cindy Napp, Colleen Panzini, Walter Judge, Priscilla Reilly, David O'Malley and Kathleen Scotto.

Board Attorney George McGill announced that, due to a momentary glitch in the recording system which failed to record when the meeting commenced, he would like to have it on the record that we did do the Pledge of Allegiance and the Open Public Meetings Act announcement

Chairwoman Panzini asked for a motion to approve the minutes of the April 10, 2010 meeting. Motion by Burke, seconded by Napp, that the minutes of the April 10, 2010 meeting be approved. On roll call Board Members Sapnar, Burke, Napp, Panzini, Judge, Reilly, O'Malley and Frost voted Aye. None No. Motion carried.

Chairwoman Panzini announced that Ven Holding, Inc. and 2311 Ocean Ave, LLC have been adjourned to June 9, 2010 at 7:30 PM in this room.

Mr. McGill read Resolution 14-2010 Pizzo.

Motion by Sapnar, seconded by Burke, that Resolution #14-2010 Pizzo be adopted. On roll call Board Members Rizzo, Sapnar, Burke, Napp, Panzini, Judge, O'Malley and Frost voted Aye. None No. Motion carried.

**CAL 13-2009 RENNA
119 NEWARK AVE**

Michael Rubino, Esq. attorney for the applicant, said that his applicant is very apologetic and did not intend for any of his employees to violate the ordinances. He also claims that the pillars on second avenue were pre-existing as was one of the air conditioner condensers. Mr. Rubino admits that the pillars were erected without the proper permits but that Mr. Renna was not aware that he was in violation.

James Renna, the applicant, was sworn in and questioned by Mr. Rubino. He purchased the house in October 2008 and currently lives in Virginia but does do a lot of traveling. He and his wife wanted to purchase an older house in Spring Lake and this house appealed to them but needed extensive repairs inside. The stairway on Newark Ave is exactly the same as the original one. There was originally one air conditioning unit in the front yard on Second Ave and that is where he added

the two new units. Mr. Renna was questioned by the Board Members and was asked who made the decision to build the pillars after being told by town officials that they were not allowed. Board Members pointed out that not only are the air conditioners too close to the property line there would also be a noise problem. Mr. Renna was also questioned about the lights he proposes to put on the pillars. Board Members are concerned about the size of the fixtures.

There were no questions from the audience.

Walter Craig, a neighbor at 201 Newark Ave., was sworn in and questioned by Mr. Rubino. Mr. Craig remembers the pillars being there but does not recall lighting fixtures on top of the pillars. He has no objection to the pillars or the air conditioners.

Ray Carpenter, P.E., P.P. was sworn in and accepted by the Board as an expert in his field. Mr. Carpenter finds the pillars very pleasing and in no way disturbing. He also pointed out that the walkway and the pillars define the front of the house since there is no defined front door. Mr. Carpenter feels that the benefits outweigh the detriments.

Eleanor Twomey, 108 Vroom Ave, commends the applicants for restoring the house.

Mr. Rubino made his summation.

Mr. McGill announced that Mr. Kavanaugh, the Zoning Review Agent and Stephen Roe, the Code Enforcement Officer, were introduced to shed more light on the pillar violation situation.

Mr. Kavanaugh was sworn in and said that the applicant originally made application for a rear addition, porch and deck but the plans did not show the pillars. When he went to the site to inspect it, he noticed the pillars and the base for the other pillars and informed the foreman that pillars were in violation of the Borough Code and would have to be removed. He notified Mr. Roe that they were in violation. Then a plan was submitted for the pool showing the pillars and Mr. Kavanaugh denied it. A new pool plan was submitted without the pillars and it was approved. When Mr. Kavanaugh saw the pillars when he went to inspect, he rescinded the approval.

Stephen Roe, Code Enforcement Officer, was sworn in and questioned by Mr. McGill. He then told the Board that he received a notice of violation from Mr. Kavanaugh and visited the site and sent Mr. Renna a Notice of Violation telling him that he had 10 days to remove the violation. He received another notice from Mr. Kavanaugh about the placement of the air conditioners and sent Mr. Renna a second Notice of Violation. He then issued 2 summonses to Mr. Renna for the violation and a court hearing is pending.

No comments from the public.

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

Motion by Judge, 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 O'Malley, that no variance is required for the wall along the stairway. On roll call Board Members Rizzo, Sapnar, Burke, Panzini, Judge, Reilly, O'Malley and Frost voted Aye. None No. Motion carried.

Motion by Panzini, seconded by Judge, that the driveway pillars be approved with the stipulations that they must be illuminated by gaslight and are no larger than 2' high. On roll call Board Members Rizzo, Sapnar, Burke, Napp, Panzini, Judge, Reilly, O'Malley and Frost voted Aye. None No. Motion carried.

Motion by O'Malley, seconded by Judge, that the front walk pillars on Newark Ave be approved with gaslight. On roll call Board Members Rizzo, Sapnar, Judge, Reilly and O'Malley voted Aye. Motion carried.

Motion by Panzini, seconded by Rizzo, that all 3 air conditioning units be moved to the back of the house at the proposed location on the east side of the house with proper screening. On roll call Board Members Rizzo, Sapnar, Burke, Napp, Panzini, Judge, Reilly, O'Malley and Frost voted Aye. None No. Motion carried.

Board Member/Councilwoman Reilly explained some of the finer points of proposed ordinance 2010-005 which deals with the rules of the Essex & Sussex Common Services Building. It was decided that the Board would consider this ordinance on May 20, 2010.

Motion by Sapnar, seconded by Burke, that the meeting adjourn. On roll call all Board Members voted Aye. Time: 10:00 PM.

Respectfully submitted

Board Secretary