

**MINUTES OF THE
SPRING LAKE PLANNING BOARD
AUGUST 12, 2009**

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.

In the absence of Chairwoman Panzini, Michael Burke took her place and 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.

Chairman Burke announced that CAL 12-2008 SHORE THING LLC has been adjourned to the September 9, 2009 meeting AT 7:30 PM in this room. No further notice will be required.

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

Mr. Rizzo pointed out an error in the minutes of the special Master Plan meeting held on May 28, 2009 and they will be reviewed and adopted at the next meeting.

Motion by Rizzo, seconded by Sapnar, that the minutes of the July 8, 2009 meeting be approved. On roll call Board Members Rizzo, Sapnar, Burke, Frost and McDonough voted Aye. None No. Motion carried.

RESOLUTIONS:

Board Attorney George McGill reviewed the resolutions for the Board Members.

RESOLUTION #14-2009 BORROWEIC

Motion by Sapnar, seconded by Frost, that Resolution #14 be approved. On roll call Board Members Rizzo, Sapnar, Burke, Frost and McDonough voted Aye. None No. Motion carried.

RESOLUTION #15 AMBOY BANK (308 MORRIS AVE)

Motion by Sapnar, seconded by Rizzo, that Resolution #15 be approved. On roll call Board Members Rizzo, Sapnar, Frost and McDonough voted Aye. None No. Motion carried.

**CAL 13-2008 SCHEUERMANN
501 MERCER AVE**

Applicant's attorney, Michael Rubino, reviewed the revisions made to the original plans and informed the Board that the neighbor to the south is in favor of the plans.

Tom Petersen, Architect, was sworn in, accepted as an expert, and explained that the Scheuermanns wanted to keep the garage since it is in good shape even though it violates the front yard setback. He further explained the revisions made to this corner lot property. Mr. Petersen pointed out that the setback from Fifth Avenue will be 15' to the covered porch. Mr. Petersen was questioned by the Board Members and explained in detail the setbacks at each side of the house and pointed out that the ROW on Fifth Ave is 15' and other streets are considerably less which means the house is setback 30' from the curb.

Gilbert Robinson, 508 Sussex Ave, asked about the setback from the property line and the depth of the house. Mr. Petersen answered his questions.

Comments: George Foy, 423 Mercer, William Fischer, 425 Mercer Ave and Lyle Marlowe, 221 Worthington Ave, were all sworn and each one approves of the proposed plans.

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

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

Motion by Sapnar, seconded by Rizzo, that the application be approved with the following conditions: the porch can never be enclosed, they cannot add to the deck above the porch and the corner must have a 36" site triangle. On roll call Board Members Rizzo, Sapnar, Burke, Napp, Frost and McDonough voted Aye. Motion carried.

**CAL 5-2009 DelGuercio/Hricik
214 Tuttle Ave**

Kevin Callahan, Esq., attorney for the applicant, had the exhibits marked and reviewed the proposals for the Board. The applicants would like to demolish the present house and rebuild with a front yard setback of 18' where the present setback is 15'. Lot area and lot width are pre-existing, non-conforming violations. The front of the house will be even with other houses on the block.

Laurie Hricik, Architect Mary Hearn and Engineer Charles Gilligan were sworn in.

Ms. Hricik informed the Board that they currently live in Chatham, NJ. They have 2 grown children. They intend to use the proposed house quite often and maybe eventually retire there. She has shown the plans to all the surrounding neighbors and one neighbor is here tonight in favor of the plans.

Mary Hearn, Architect, was accepted as an expert and explained in detail what is there now and what is proposed to be built. Ms. Hearn had a photo board showing the present look of the neighborhood including the present dwelling. There is presently more land on the east side of the house than on the west side. They propose to center the house and put the driveway on the west side of the property and move the house back from the front yard lot line. She then presented the

site plan. Ms. Hearn informed the Board that they would like to fence in the entire rear yard rather than just around the pool and showed a picture similar to what type of fence is proposed, which is an open, coated metal, black fence. A variance would be needed for a 4ft or 5ft fence. Ms. Hearn was questioned by the Board Members.

Eleanor Twomey, Vroom Ave, asked about the distance from the pool to the rear yard line and was told that it would be 30ft.

Charles Gilligan, Engineer/Planner, has been before the Board many times and is accepted as an expert. Mr. Gilligan began by reviewing the existing conditions in the neighborhood and pointed out that this proposed plan eliminates a side yard setback, lessens the front yard setback and eliminates the accessory building side and rear violations. There is no negative criteria in this plan. Mr. Gilligan was questioned by the Board Members.

There were no questions by the audience and comments were made by:

Kathy Leddy, 209 Tuttle Ave, sworn in and is in favor of the application because it will be a big improvement over what is presently there.

Lyle Marlowe, 221 Worthington, sworn in and thinks that it is a good application.

Mr. Callahan made his closing remarks.

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

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

Motion by Burke, seconded by Rizzo, that the application be approved. On roll call Board Members Rizzo, Sapnar, Burke, Frost and McDonough voted Aye. Napp voted Nay. Motion carried.

Motion by Burke, seconded by Napp, that the meeting adjourn. On roll call all Board Members voted Aye. None No. Motion carried. Time: 10:15 PM.

Respectfully submitted:
