

**MINUTES OF THE  
SPRING LAKE PLANNING BOARD  
DECEMBER 9, 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.

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: Nick Sapnar, Michael Burke, Cindy Napp, Colleen Panzini, Walter Judge and Dave O'Malley.

Chairwoman Panzini called for a motion to approve the minutes of the November meeting. Motion by Burke, seconded by Judge, that the minutes of the November 4, 2009 meeting be approved. On roll call Board Members Burke, Napp, Panzini, Judge and O'Malley voted Aye. None No. Motion carried.

**CAL 7-2009 O'BRIEN  
52 Pitney Ave**

Vincent O'Brien, the applicant, representing himself, was sworn in and explained that he would like to add a front porch to his home but part of the porch would be in the side yard setback and he would be over the limit for impervious surface. He is in the process of renovating the house and has already reduced the impervious surface. Mr. O'Brien was questioned by the Board Members.

James W. Higgins, Professional Planner, was accepted as an expert and was sworn in. Mr. Higgins then had his exhibits marked into evidence and explained the required variances in more detail and suggested that adding the front porch would make the house look more like a Spring Lake house. Removing 15% of the impervious surface is a good benefit. The second curb cut, which is pre-existing, can be considered a benefit since extra cars can be parked there rather than on the street. Board Engineer Holloway reminded the applicant that the porch could never be enclosed, heated or build on top of the porch.

Mr. Berzinskis, Architect and Project Manager, was asked about water runoff and replied that drywells and drainage are pre-existing.

Mr. O'Brien summed up his request for the variance and said that his neighbors are in favor of the addition and he believes that the porch will be an attractive addition to the neighborhood.

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

**CAL 10-2009 114-116 Pennsylvania Ave. LLC  
2 Lot Subdivision**

Chairwoman Panzini recused herself due to a conflict and Board Member Walter Judge chaired the meeting.

James Sabaitis, Esq. attorney and applicant, explained the subdivision which is in the R-2 Zone and is 100' X 150' and intends to subdivide into 2 lots without any variances.

Michael Cannon, Planner/Engineer, was sworn in displayed the site plan and explained what is going to be done. The existing house on the westerly lot will be demolished. The proposed houses will be totally conforming. There were no questions from the Board or the public. The Board did discuss the flooding problem and asked that the flood zone be verified.

There were no comments from the public.

Board Engineer Chas Holloway reminded the attorney of the requirements for the deed.

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

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

Motion by Judge, seconded by Sapnar, that the subdivision be approved subject to the conditions listed by Mr. McGill and Mr. Holloway. On roll call Board Members Sapnar, Burke, Napp, Judge and O'Malley voted Aye. None No. Motion carried.

**CAL 9-2009 MacARTHUR  
Principal Structure Front Yd. S/B  
Front Facing Garage**

Board Member Cindy Napp recused herself due to conflict.

Michael Rubino, Esq. Attorney for the applicant gave a brief explanation of the proposed changes. Ms. MacArthur closed on the 100 year old house last winter and the house needs extensive renovations. The house is located on the corner of Jersey Ave and Fourth Ave.

The applicant would also like to add a front porch which would extend into the front yard setback. Most of the houses on that street are closer to the street than the required 25'. She would prefer to demolish the garage and erect a new one which would extend into the front yard setback.

8:23 PM - Board Member Rizzo arrived.

The Board questioned Mr. Rubino about the shed which contains a shower and a toilet.

Barbara MacArthur was sworn in and said that she has been coming here since she was 13 and feels comfortable in Spring Lake and would like to retire here. She explained that the front door is on the Jersey side and difficult to locate so that most people come to the sliding door to enter the house. It makes more sense to gut the house rather than try to fix the problems.

Ms. MacArthur would also like to make the porch useable 3 seasons of the year with removable screens and glass and radiant heat in the floor. Some Board Members objected to the glass enclosures on the porch. The shed contains a shower, sink and toilet.

There were no questions from the audience.

Christopher Rice, Architect, was sworn in and accepted as an expert. Mr. Rice and the Board Members discussed the use of the shed as another full bathroom. Mr. Rubino suggested that they could remove everything but the shower.

Mr. McGill informed the Board and the witness that the Board has an obligation to look into the plans to see if a variance has been overlooked. He also pointed out that a pool cabana does not allow plumbing or sanitary facilities. Mr. Rice pointed out that attaching the shower enclosure to the house would increase the building coverage and he doesn't want to do that.

Ray Carpenter, Engineer/Planner, was sworn in and accepted as an expert. Mr. Carpenter pointed out that many of the properties on that street were closer to the front lot line than the house in question. The house will be 32' from the front curb.

It was decided that new plans would be presented to the Board for final approval. The plans will be presented at the January 13, 2010 meeting of the Board.

Mr. McGill read a change to the Land Use Application Fee Ordinance which would charge a flat administration fee of \$250 for applications withdrawn within the first 30 days.

The Board authorized Mr. McGill to respond to the Council that they are in favor of the proposed resolution.

Mr. McGill then read an amended version of Resolution 19-2009 Green Gables regarding the pavers on the proposed driveway.

Motion by Panzini, seconded by Rizzo, that the amended Resolution 19-2009 be approved. On roll call Board Members Rizzo, Sapnar, Burke, Napp, Panzini, Judge and O'Malley voted Aye. None No. Motion carried.

Motion by Sapnar, seconded by Burke, that the meeting adjourn. On roll call all Board Members voted Aye. None No. Motion carried. Time: 9:41 PM.

Respectfully submitted:

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Board Secretary