

**MINUTES OF THE  
SPRING LAKE PLANNING BOARD  
JULY 8, 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: Joseph Rizzo, Nicholas Sapnar, Michael Burke, Colleen Panzini, Walter Judge, David O'Malley, Meghan Frost and Dawn McDonough.

Chairwoman Panzini announced that Cal 12-2008 Shore Thing LLC and Cal 13-2008 Scheuermann have been adjourned to the August 12, 2008 meeting in this room at 7:30 PM.

Motion by Burke, seconded by Rizzo that the minutes of the June 10, 2009 meeting be approved. On roll call Board Members Rizzo, Sapnar, Burke, Panzini, Judge, O'Malley and McDonough voted Aye. None No. Motion carried.

There were no resolutions to be approved.

Chairwoman Panzini announced that the proposed ordinances will be discussed at the end of the meeting.

CAL 3-2009 Borowiec  
212 Howell Ave

Applicant's attorney Michael Rubino, had the exhibits marked into evidence and proceeded with his opening statement. Mr. Rubino pointed out that the front of the house would be improved by the addition of a front porch. Mr. Rubino also informed the Board that the applicants will install 2 drywells which is required only on new construction.

Anne Borowiec, the applicant, was sworn in and testified that they purchased the house in 2007. They live in Summit and have 3 teenage daughters and they do intend to retire here in about 10 years. The house was only 4 years old and they liked the inside but thought that the front of the house would look better with a porch which most of the other houses on the street have. The porch would increase impervious surface but will not be in the front yard setback.

There were no questions or comments.

Kate Comerford, the architect on the project, was sworn in and accepted as an expert by the Board. Ms. Comerford referred to the present house as an 'ugly duckling' on the block and

thinks that the house will have a more classic look with a porch along the front of the house. The depth of the porch will vary because of the window bump outs. The depth will vary from 6'6" to 10'. The finished porch will look like a 'wrap around' but in actuality will not wrap around the sides of the house. Ms. Comerford was questioned by the Board Members. There were no questions from the audience.

Ray Carpenter, Planner, was sworn in and explained the engineering plans for the drywells. A drywell in the front will be for the covered porch and front half of the house, a drywell on the right side will be for the rear and the bump out. These drywells will improve the drainage. The existing impervious is 41'32" and proposed is 45'53". By eliminating some of the pavers they will save 165sf which will bring the impervious down to 43'23" which is a 2% increase. The Board Members questioned Mr. Carpenter.

There were no questions or comments from the audience.

Mr. Rubino gave his closing statement.

Motion by Burke, seconded by Sapnar, 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 Panzini, seconded by Sapnar, that the application be granted. On roll call Board Members Rizzo, Sapnar, Burke, Panzini, Judge, O'Malley, Frost and McDonough voted Aye. None No. Motion carried.

### **308 Morris Ave Demolish/Rebuild in Commercial Zone**

Chairwoman Panzini recused herself from this case and, in the absence of the Vice-Chairman, she asked Board Member Judge to Chair the hearing of this application.

Mr. Rubino, applicant's attorney, had the exhibits marked into evidence and explained that the applicant was here in April of 2009 and was advised by the Board to re-do the proposal and include parking among other things. The proposed building has been re-designed with 4 on-site parking spaces and needs a variance for the west side building setback.

Stanley J. Koreyba, Jr., COO of Amboy Bank, the present owner of 308 Morris Ave. was sworn in and told the Board that he had meeting with Dr. Ciampi about buying the building, but they could not come to an agreement. He hopes this proposed plan will be accepted since he is a banker not a builder and would like to have this resolved. There were no questions by the Board Members.

Richard Villano, Architect, was sworn in and explained the changes that have been made to the

previous plans proposed. The building has been reduced 10' in width which allows a driveway on the east side of the building with parking for 4 cars in the rear. The spaces are 9'X20' with sidewalk access and the building itself is 3 stories high. There are trash enclosures in the rear and one of the four parking spaces is a handicapped space. The front of the building looks like a Spring Lake house with wood shakes and wood trim. There are 6 rental units.

Michael Burke, 309 Jersey Ave, directly behind the proposed building, is a member of the Board who has recused himself, asked about the buffer between the commercial and residential buildings and asked if Mr. Villano had considered positioning the parking spaces east to west as opposed to north to south. Mr. Villano replied that the proposed arrangement is best suited to the property.

Ray Carpenter, Planner, was sworn in and accepted as an expert. Mr. Carpenter spoke about the trash enclosures, the one lane driveway and informed the Board that the 2 large trees on the property will remain. Mr. Carpenter was then questioned by the Board Members. Mr. Carpenter also informed the Board that they intend to plant 8' or 9' cypress or similar trees as a buffer along the rear lot line.

Board Engineer Chas Holloway suggested a change in the location of the drywells and asked if they intended to install fencing in the rear and Mr. Rubino agreed to a fence on the rear property line.

Board Members Rizzo and Sapnar had a few objections to the proposed plan and Mr. Korebya again took a seat to address the questions of Mr. Rizzo and Mr. Sapnar. He asked if they wanted him to redo the plan again, one that would be more like the first plan presented. They replied that that wouldn't be necessary, they were just making suggestions.

Allison Coffin, Planner, was sworn in and gave the reasons she thinks this is a good plan. Ms. Coffin feels that the proposed plan is justified because it will promote a desirable visual environment and it will provide for additional commercial use. The design is appropriate for this district and even though it does not meet the requirement of 35 parking spaces it does supply 4 off-street parking spaces. The site is located in a walkable public area with sufficient on street parking. The benefits outweigh the detriments in her opinion.

Lyle Marlow, 2008 Third Ave asked if this building will be strictly commercial and was told that it would be. He also questions that 4 parking spaces will be enough for 6 offices and Ms. Coffin pointed out that it will be since there is on street parking available. The ordinance allows for 70% building coverage and this building is only 42%.

Michael Burke, 309 Jersey Ave, asked Ms. Coffin if she would argue that a 40 ft. high office building with no parking is a good option for the town and Ms. Coffin replied that she would. Mr. Burke asked where the occupants and clients would park and Ms. Coffin replied that without knowing what the new parking ordinance requires, she really could not answer that question.

Helen Hendrickson, asked if the building would have any residential units and was told that there would not be any residential units. The remainder of Ms. Hendrickson's questions and comments are inaudible.

Mr. Rubino made his summary and stated that the applicant has been very cooperative in trying to accommodate the Board but that there are conflicts in the ordinances that make it difficult to give the town exactly what it wants. He also pointed out that there is not another building in town that meets the parking requirements.

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.

Mr. McGill reviewed the variances that are requested.

Motion by Judge, seconded by O'Malley, that the application be approved as is with the Engineer's comments. On roll call Board Members Rizzo, Sapnar, Judge, O'Malley and Frost voted Aye. None No. Motion carried.

**VEN HOLDING, LLC**  
**213-215 LUDLOW AVE**

Joseph Rizzo, as the Mayor's Designee, has recused himself since the Mayor lives within 200' of the property being presented and would not be able to sit on this application if she were present.

Gail Price, Esq. attorney for the applicant told the Board that she will present 3 witnesses, the Planner, the Architect and a Civil Engineer.

Mark Aikens, Esq., is representing Roger McLaughlin, Esq. the attorney for the opponents to this application. A discussion arose as to Chairwoman Panzini's ability to sit on this case since she did, at one time, work for Mr. Aikens. After deliberating with Ms. Panzini, Board Attorney McGill and her client, Ms. Price asked that Ms. Panzini recuse herself from this hearing. Board Member Walter Judge took the Chairwoman's place.

Ms. Price proceeded to present her case and stated that the present dwelling will not be demolished so there are no bulk variances requested in this subdivision. The lots have been in the same family since 1957 and they are to subdivide the lots which have always been on the tax roll as two lots. Ms. Price then asked to have the black binder containing the complete application marked into evidence.

Joseph J. Bruno, Architect, was sworn in and accepted as an expert by the Board. Mr. Bruno met with the family and decided what their needs would be as far as the two houses are concerned. He testified that the existing house has a wrap around porch and very small

bedrooms upstairs. He proposes to renovate and expand the footprint of the existing house by raising the first floor ceiling to 9' to give it more light and air. The first floor will contain a living room, kitchen, family room, mud room, laundry and full bath. The second floor will include four bedrooms and 2 baths. The first floor addition in the rear will be set back to comply with the 7 ½ ' side yard setback. The only part of the renovated house that will not comply is

the second floor which will be directly above the first floor footprint and a one car garage is planned. The total square footage of the home on lot 8.01 is 2,606sf; the proposed house for lot 7.01 will 2,719sf.. Mr. Bruno was questioned by Attorney Price and the Board Members. Mr. Bruno referenced the draft of the proposed Master Plan a number of times and Attorney Aikens objected to the reference since the document has not yet been adopted Board Attorney McGill advised that the draft of the proposed Master Plan could not be referenced since it has not been adopted. Acting Chairman Judge asked that the Master Plan document not be mentioned at all.

Mr. Aikens objected to Exhibit A8 because it was not available to the public 10 days prior to this hearing. Ms. Price replied that there is no requirement for that and Mr. McGill concurred with Ms. Price.

At this point, Chairman Judge adjourned this case to the September 9, 2009 meeting at 7:30 PM in this room and no further notice will be required. Ms. Price has waived the time.

The Board then reviewed the proposed new LU ordinances and authorized Attorney McGill to write to the Council advising them of the Board's recommendations.

Motion by McDonough, seconded by Judge that the meeting adjourn. On roll call all Board Members voted Aye. None No. Motion carried. Time: 10:45 PM.

Respectfully submitted:

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Board Secretary