

**MINUTES OF THE  
SPRING LAKE PLANNING BOARD  
MARCH 10, 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.

Board Attorney George McGill administered the Oath of Office to the following members: Joseph Rizzo as a Class IV member and Paul Jordan as the Mayor's Designee.

Chairwoman Colleen Panzini expressed her sadness at the passing of long time Board Member Walton Kingsbery and other Board Members joined in with personal stories of Walton. He will be missed.

The Board Secretary called the roll for attendance. Present were: Joseph Rizzo, Nicholas Sapnar, Michael Burke, Cindy Napp, Colleen Panzini, Walter Judge, Priscilla Reilly, Paul Jordan and Kathleen Scotto.

Mrs. Panzini then asked for a motion to approve the minutes of the Jan. 13, 2010 Reorganization meeting.

Motion by Rizzo, seconded by Panzini, that the minutes of the Jan. 13, 2010 Reorganization meeting be approved. On roll call Board Members Rizzo, Sapnar, Napp, Panzini, Judge, Reilly and Scotto voted Aye. None No. Motion carried.

Joseph Rizzo had a few corrections for the Ven Holding hearing in the minutes of the Jan. 13, 2010 Regular Meeting which were duly noted and the minutes will be amended.

Motion by Rizzo, seconded by Judge, that the minutes of the July 13, 2010 regular meeting be approved as amended. On roll call Board Members Rizzo, Sapnar, Napp, Panzini, Judge, Reilly and Scotto voted Aye. None No. Motion carried.

The Chairwoman announced that Ven Holding LLC has been adjourned to April 14, 2010 and no further notice will be required.

Chas Holloway, P.E. will no longer be acting as the Board Engineer and Alan Hilla, Jr., P.E. of Birdsall Engineering will replace him beginning with tonight's meeting.

**CAL 11-2009 CLAYTON  
314 TUTTLE AVE  
SUBDIVISION**

Michael Rubino, Esq. said a few words about Walton Kingsbery and proceeded with presentation of his application for a subdivision.

Board Member Meghan Frost arrived at 7:40 PM.

The existing house has been on the property for a hundred years and he has been unable to sell the property as it is. Michael Zimmermann is interested in buying the subdivided property and building a house on each lot. Thomas C. Clayton, the applicant/owner was sworn in and gave a brief history of the premises. The house was built in 1892 and is in very poor condition. He has tried selling it as is but was unsuccessful.

Robert Burdick, Professional Planner/Engineer was sworn in and accepted as an expert. Mr. Burdick pointed out that the present lot is 100' X150' which is 15,000 sf and it can be subdivided into 2 50' X150' which would be 7,500 sf each and will be conforming lots. There are no unusual topographical features on these proposed lots.

Board Member Rizzo asked if all structures would be removed and was told that they would be. Board Member Burke inquired about the fences on the property and Mr. Burdick informed him that the fence in the rear is on the property line and will be removed and the fence to the west is still under investigation as to who owns the fence. Board Attorney McGill informed the applicant and the Board that it does not matter who owns the fence, if it is on the property in question, it must be moved or taken down.

Michael Zimmermann, the contract purchaser and developer, was sworn in informed the Board that these houses will be the 14<sup>th</sup> and 15<sup>th</sup> houses that he has built in Spring Lake. He has hired two different architects to build the houses so that they will have different looks. He will build the houses in compliance with Borough zoning regulations and no variances will be needed.

There were no questions or comments from the public.

Motion by Burke, seconded by Judge, that the Board to 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 Burke, seconded by Rizzo, that the subdivision application be approved with the condition that the fences be removed. On roll call Board Members Rizzo, Sapnar, Burke, Napp, Panzini, Judge, Reilly, Jordan, Frost and Scotto voted Aye. None No. Motion carried.

**CAL 12-2009 STOCKDALE ESTATE  
10 MONROE AVE  
2 LOT SUBDIVISION**

Michael Rubino, Esq., attorney for the applicant, informed the Board that the lot is in the R-1 zone and is 200 sf X 150 sf. (30,000 sf.)

Vincent D. Manahan, Esq. Counsel for the Estate, was sworn in and explained that the will was probated in 2008 and the property was listed for sale in 2009. They have removed the oil tank and all the asbestos and then demolished the house and structures. The property can be sold as

two lots or one lot but it would be better to have the subdivision in place. There are no interested buyers at present.

Ray Carpenter, Planner/Engineer, was sworn in and accepted as an expert. Mr. Carpenter stated that all the necessary permits have been obtained and these are two clean lots 100' X150' each and they are fully conforming, level lots.

Mr. Rubino said that he would comply with all of the Engineer's suggestions except for the garage interpretation which Mr. Rubino interprets as allowing a detached or an attached garage and Mr. McGill agrees.

Mr. Burke inquired if there was a septic tank on the property and Mr. Carpenter said that none was found.

There were no questions or 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 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 Burke, that the application for a subdivision be approved. On roll call Board Members Rizzo, Sapnar, Napp, Panzini, Judge, Reilly, Jordan, Frost and Scotto voted Aye. None No. Motion carried.

Board Member Burke explained that some Planning Boards are drafting a resolution to oppose the proposed elimination of Time of Decision rule. This would mean that any decision of the Board would be based on the ordinance in effect at the 'time of filing'.

The Board decided to have Board Attorney McGill draw up a resolution and the Board will vote on it at a regular meeting after the Executive Session on March 25, 2010. A notice will be published announcing a special meeting after the Executive Session on March 25, 2010 and the Board will take formal action at that time.

Motion by Rizzo, seconded by Burke, that the meeting adjourn. On roll call all Board Members voted Aye. None No. Motion carried. Time: 9:50 PM.

Respectfully submitted:

---