

**MINUTES OF THE
SPRING LAKE PLANNING BOARD
MAY 12, 2021**

The regular meeting of the Spring Lake Planning Board was held on the above date at 7:00 PM on Gotomeeting.com (electronically).

Chairman Nicholas Sapnar, called the meeting to order and announced that this meeting is being held in accordance with the Open Public Meetings Act and adequate notice was published and posted per Chapter 231, P.L. 1975 and NJSA 10:4.91 & 4.93 governing and permitting electronic meetings during a public health emergency.

The Board Secretary called the roll for attendance. Present were Joseph Rizzo, Larry Iannaccone, Michael Burke, Cindy Napp, Walter Judge, Thomas Burrus, Lisa DeBerardine, Stuart Patterson, and Nick Sapnar.

Motion by Sapnar, seconded by Judge to approve the minutes of the April 14, 2021 regular meeting. On a roll call vote Board Members Rizzo, Iannaccone, Burke, Napp, Judge, Burrus, DeBerardine, Patterson and Sapnar voted Aye. None No. Motion carried.

Motion by Sapnar, seconded by Judge to approve RES#12-2021 Barrett 1407 Fourth Avenue. On a roll call vote Board Members Rizzo, Iannaccone, Burke, Napp, Judge, Burrus, DeBerardine, Patterson and Sapnar voted Aye. None No. Motion carried.

Motion by Sapnar, seconded by Judge to approve RES#13-2021 Hoffman 501 Morris Avenue. On a roll call vote Board Members Rizzo, Iannaccone, Burke, Napp, Judge, Burrus, DeBerardine, Patterson and Sapnar voted Aye. None No. Motion carried.

CAL#1-2021 Bennett 2 Valendora Court

Carried from last month. Additional items were marked into evidence. Mr. Rubino stated that they took the Boards comments into account and reduced the height. The house is 3 feet smaller and is 28.5 feet wide and 400 square feet smaller. The driveway apron will be compliant at 12 feet wide. The front of the house was moved.

Ryan Meyers was sworn in. They shrank the house 3 feet in width and 1 foot in depth. The house has 20 feet setback on Valendora. There are cut-ins. 52% of the façade is at 20 feet and 48% is at 21 feet FYS. There is now 4000 square feet of heated and cooled space. The height is conforming below 35 feet. Front patio on Fourth Avenue has been removed and replaced with a traditional walkway to the stairs. They removed the chimney bump out. The house is aesthetically similar to the first house. Stairs are at 18.45 feet, which is 3 feet back from the previous position.

Joe Kociuba was sworn and accepted as an engineer and planner. The house is setback 20 feet from the property line. It is 18.44 feet to the front steps. The current steps are at 17.2 feet and the current porch is at 19.07. They are just behind the current FYS. The IC was reduced from 54.89% to 48.72% and the BC from 24.47% to 22.06%. The change in grade will still average 2 ½ feet so they could bring the house closer to conformity with the property to the north. There is a landscape wall, which is 17 inches at its highest point and will be behind the setback line. There will be an arborvitae screen on the side of the property. The drywell is located 7 feet from the basement but this is the most appropriate location and will need relief from the Board. The yard drain will be connected to the drywells.

Caitlin Briscoe owns the property to the north has concerns about the trees. A discussion of the wall and trees ensued. Anne Galli, 4 Valendora has concerns about the landscaping on the west side of the property.

The Bennetts will work with Caitlin Briscoe to the north and Anne Galli the neighbor to the west to agree on trees and landscaping..

Anne Galli, 4 Valendora appreciates the situation that they are in and have worked hard to bring everything into conformity. The street has a unique character. She appreciates that her neighbors are willing to listen to her concerns.

Motion by Sapnar, seconded by Judge to go into caucus. On a voice vote, all members voted aye. None No. Motion carried.

Motion by Sapnar, seconded by Judge to come out of caucus. On a voice vote, all members voted Aye. None No. Motion carried.

Motion by Sapnar, seconded by Judge to approve the application with the conditions that the retaining wall will be moved behind the setback and be adjusted to maximize the viability of the trees on the north side of the property, the patio will be no closer than 6 feet from the property line, the yard drains will be tied into the drywells, that street trees will be addressed and landscaping on the north and west side of the property will be agreeable to the town and the neighbors. On a roll call Rizzo, Iannaccone, Burke, Judge, Burrus, DeBerardine, and Sapnar voted Aye. Napp and Patterson voted No. Motion carried.

CAL# 5-2021 Buttwinski/Slevin 100 Brown Avenue

Some items were marked into evidence. Mr. Rubino stated that Mrs. Slevin came to him a year ago to start the project but has since unfortunately passed away. Mr. Buttwinski will continue the application. He would like to add to the porch 13.5' x 5.2' and a small addition in the FYS on the south of the house. A dormer addition to the ½ story to make the ½ story useable and a deck off the dormer in the FYS. He has an antique car so he would like to add some height to the garage so he can store that car and fit another car into the garage, which will need a FYS variance.

Alex Buttwinski and Paul Damiano were sworn in.

Anita moved to Spring Lake in 2012 and then this house became available. They purchased it together and were later married. They wanted to make the house more livable for their retirement. The porches and master suite will meet the needs of fulltime residence. The garage needs to be raised 3 feet to accommodate his antique car. He spoke to his neighbors about the project. The house is 2 feet off the north property line but the addition is set back 6 feet from that line.

Paul Damiano, was accepted as an Architect. He testified that this is a single story house with 2 bedrooms on the first floor. They hope to add 425 square feet to create a master suite. They will remove some closets in the hall to make room for the stairway. The ridge height will remain the same using shed dormers. The rear will meet the 6 foot setback and not go all the way to the back of the house. They are not encroaching anymore into the rear setback. They will remove the existing porch and planter to add a new deck. He will be adding aesthetic touches to improve the look of the house. The garage is proposed to go from 15.6' to 18' with a dormer effect to create just enough room for the pole height. He tried to minimize the volume. 19.4' FYS for porch. 22.25' FYS for second floor and deck/patio. Building coverage is 19% where 25% is allowed. The garage is 452 square feet where 500 feet is allowed. Impervious coverage is 40% where 55% is allowed. They will fix the sidewalk. The work they are doing will not trigger any retro fit due to the flood zone. The existing driveway will remain.

Motion by Sapnar, seconded by Judge to go into caucus. On a voice vote, all members voted aye. None No. Motion carried.

Motion by Sapnar, seconded by Judge to come out of caucus. On a voice vote, all members voted Aye. None No. Motion carried.

Motion by Sapnar, seconded by Judge to approve the 2nd floor addition, 1st floor porch and garage. On a roll call Rizzo, Iannaccone, Burke, Napp, Judge, Burrus, DeBerardine, Patterson and Sapnar voted Aye. None No. Motion carried.

Motion by Sapnar, seconded by Judge to approve the side yard ground level deck in the front yard setback. On a roll call Rizzo, Iannaccone, Burke, Napp, Judge, Burrus, DeBerardine, Patterson and Sapnar voted Aye. None No. Motion carried.

Motion by Napp, seconded by Rizzo to approve the for the 2nd floor deck above the front porch. On a roll call Rizzo, Napp, and Burrus voted Aye. Iannaccone, Burke, Judge, Debarardine, Patterson and Sapnar voted No. Motion denied.

CAL#6-2021 Zipp 119 Monmouth Avenue

Items were marked into evidence. The house is across from the Hewitt-Wellington on a street older homes. They like classic homes and they want to totally renovate. They will be taking the stairs on the back off and add on to the second floor on the south and the third story on the east. They want to demo the existing and put in a 1 ½ story garage.

Tara Zipp, Peter Zipp, and Jason Lusardi were sworn in.

Tara Zipp testified that she grew up in the Shore area and has been coming to Spring Lake since she was a child. They were looking for a house for years and years. Her husband wanted new and she wanted character. They finally found a house that they felt they had old charm but could be renovated to be more modern and safer for her family. They have 4 children ages, 9, 11, 12 and 29. They lived here for a few summers and are ready to renovate but will keep the outside the same.

Jason Lusardi, Architect, was accepted. They want to preserve the house. It is an old house with character and it is a unique design. They want to open up the interior spaces. The south side of the house is the existing kitchen and seems to have been a porch previously with a staircase. They will remove the kitchen and staircase and add a 1 story open porch at 9.3 feet where 13.5 feet is required. They are doing some expansion on the first and second floor on the east side but that is compliant. They would like to add a small 84 square foot balcony to the third floor with a parapet wall to screen air conditioning units. There is only one staircase and no egress windows on the floor. The house is 39 feet high. The balcony can be a safety feature and would allow someone the ability to jump to the second floor roof to escape. They would like to make a new useable garage to compliment the house with steep roof pitches. There will be a 16 foot building separation, which requires a variance. The oldest son is 6' 2" and the code allows 6 feet for a collar tie. They would like to request a little extra room. There will be a platform on the garage for A/C & a generator and they will need access. The standard door is 6' 8" so they are requesting a clearance of 6' 11" for the attic ceiling on the garage. He will decrease the roof pitch and can make the garage 1 ½ story. The mechanical equipment will be 10 feet off the property line, have a low decibel rating and be inward facing to the property. The shower will be a part of the garage but will not be accessible from the garage. They will submit a grading and drainage plan with the building permits. They will fix the sidewalks.

Mr. Rubino stated that they will agree to comply with the garage and he hopes that the Board will appreciate the desire to keep the house and renovate.

The variances requested are building separation at 16 feet, a balcony on the third floor, and SYS at 9'3".

Motion by Sapnar, seconded by Judge to go into caucus. On a voice vote, all members voted aye. None No. Motion carried.

Motion by Sapnar, seconded by Burkle to come out of caucus. On a voice vote, all members voted Aye. None No. Motion carried.

Motion by Sapnar, seconded by Judge to approve the application with the understanding that the garage will be brought into conformance and on the conditions that the generator test will be done midday on a weekday and the rail will be raised to screen the units on the balcony on the third floor. On a roll call Rizzo, Iannaccone, Burke, Napp, Judge, Burrus, DeBerardine, Patterson and Sapnar voted Aye. None No. Motion carried.

There was a discussion of the ordinance 2021-004 limiting cannabis business in Spring Lake. Mr. McGill stated that the new law has a no action clause. The Borough can't rest on old ordinances. If the Borough does not take action, all distribution would be permitted for 5 years. This is consistent with the Master Plan.

Motion by Burke, seconded by Judge to instruct Mr. McGill to write a letter to the Council that the ordinance is consistent with the Master Plan. On a roll call Rizzo, Iannaccone, Burke, Napp, Judge, Burrus, DeBerardine, Patterson and Sapnar voted Aye. None No. Motion carried.

Motion by Burke, seconded by Judge to adjourn. On a voice vote all Members voted Aye. None No. Motion carried. Time 9:41 PM

Respectfully submitted:

A handwritten signature in black ink, appearing to read 'McElynn', written over a horizontal line.

Margaret McElynn
Board Secretary