

BOROUGH OF SPRING LAKE HEIGHTS
BOARD OF ADJUSTMENT MINUTES
April 24, 2014

MEETING CALLED TO ORDER AND SALUTE TO THE FLAG AT 7:40 PM

Roll Call:

Brian Brendle - present
Randolph Maccanico - absent
Owen Quinn - present
John Tangeman - present
Steven Weiss - present
Andrew Zelenak - present
Chairman Dennis Pearsall - present

Alternate #1 Thomas Martin - absent
Alternate #2 Robert Cindea - present

THIS MEETING IS CALLED PURSUANT TO THE REQUIREMENTS OF NEW JERSEY'S OPEN PUBLIC MEETING LAW. NOTICE OF THIS MEETING WAS INCLUDED IN A LIST OF MEETINGS SENT TO THE COAST STAR AND ASBURY PARK PRESS, POSTED ON THE BULLETIN BOARD IN THE MUNICIPAL BUILDING AND ON THE BOROUGH WEB-SITE.

Each applicant shall be limited to fifty (50) minutes to present their case, as per Resolution # 10-2007.

Approval of Previous Meeting:

Motion was made by Mr. Brendle to approve minutes of March 27, 2014 and seconded by Mr. Tangeman, roll call as follows:

AYES: Mr. Brendle, Mr. Zelenak, Mr. Tangeman, Mr. Quinn, and Chairman Pearsall
NAYS: None
ABSTAIN: Mr. Weiss and Mr. Cindea

Correspondence / Discussion: None

Old Business: Resolution 2014 - 06
Susan Gallagher
914 Wall Road
Block 63.02 Lot 6
Variances - Build New Home

Motion was made by Mr. Brendle to approve Resolution 2014-06 and seconded by Mr. Zelenak, roll call as follows:

AYES: Mr. Brendle, Mr. Zelenak, Mr. Quinn, Mr. Tangeman and Chairman Pearsall
NAYS: None
ABSTAIN: Mr. Weiss and Mr. Cindea

Attorney Kitrick asked Chairman Pearsall if the board still wanted to amend the agenda in order to convene to an executive session for discussion; Motion was made by Mr. Brendle, seconded by Mr. Tangeman; roll call, all ayes.

Resolution 2014-07 a resolution permitting the Board of Adjustment to exclude the public from a portion of a public meeting was read into the record by Attorney Kitrick.

Motion was made by Mr. Brendle to approve Resolution 2014-07 and seconded by Mr. Cindea, roll call as follows:

AYES: Mr. Brendle, Mr. Zelenak, Mr. Quinn, Mr. Tangeman, Mr. Weiss, Mr. Cindea and Chairman Pearsall
NAYS: None
ABSTAIN: None

Chairman Pearsall reviewed a couple of points with members: voting process and should include statement offering reason for voting for or against application and if not attending meeting to contact secretary, Janine Gillis. Attorney Kitrick reviewed make up of board, what a quorum is, the meeting process and voting requirements for different variances.

Close of Executive Session: On a motion by Mr. Brendle and seconded by Mr. Zelenak, executive session closed 8:10 p.m.

The regular meeting was opened at 9:10 pm

New Business: Florentine
2307 Railroad Avenue
Block 60 Lot 4
Use Variance & Site Plan

Mr. LoBosco and Mr. Florentine were sworn in by Attorney Kitrick.

Attorney Richard Tilton introduced himself to the board. He reviewed the property location and its recent occupancy. He stated that tonight's application is a Bifurcated application meaning that it was just for the use variance and that the applicant would come back to the board for site plan approval.

Attorney Kitrick stated that he had reviewed the public notice in the newspaper and that it was in fact acceptable. Attorney Tilton stated that the notice to the Borough of Spring Lake had been delivered today, April 24, 2014 to the Borough Administrator, Brian Dempsey and that he had signed off on receiving said notice and that there were no objections to the application. Attorney Kitrick stated that he received a phone call from Mr. Dempsey, and that he stated the same to him. He further stated that the Borough of Spring Lake had no interest. The list that was provided by the Tax Assessor did not include the Borough of Spring Lake, that's why the notice was delivered late.

Joseph Florentine introduced himself; he stated that he was in contract to purchase the property but that it was contingent on the approval of tonight's application. He explained that that building has been vacant for the past 5 years. The zone allows for 4 single family homes and that during the past 5 years the property has been for sale without any prospects of a purchase.

Mr. Florentine presented a color rendering of the proposed building entitled "The Preserve at Spring Lake Heights"; marked as exhibit A-1 and a color rendering of the concept site plan; marked as exhibit A-2. Mr. Florentine stated that knowing the borough has adopted an ordinance with LEEDS sustainable building recommendation; he stated that both the demolition and building would incorporate these recommendations. In order to remain cost effective it would require the building of 8 townhomes, he further stated that the

impervious coverage would be reduced. All of them would have 2 bedrooms; he felt that this would appeal to people looking to downsize.

Mr. Brendle asked if Mr. Florentine could reduce the number of homes and increase the purchase price, Mr. Florentine replied he didn't think the yield would be there, his construction costs would basically remain the same.

Mr. Tangeman asked about one of the garages on the exhibit; he thought that one of the garages didn't line up like the others; Mr. Florentine stated that it would be adjusted when they came back for site plan review. Mr. Tangeman expressed concern if there was a fire in the rear, how would the fire trucks gain access; Attorney Tilton stated that the engineer for the project would address that. Mr. Tangeman asked if the home owners were present, Mr. Florentine replied no. Mr. Tangeman further asked if Mr. Florentine's purchase of the property was based on the approval of the board, Mr. Florentine replied yes.

Mr. Cindea stated that all the homes along Pitney are single family, why was he not building a single family home. Mr. Florentine replied yes, but he felt that it wouldn't be attractive because of children and the fact that the train tracks are across the street. Mr. Cindea asked about the utilities easement to Wall Rd. that is on the plan, if that is the present condition, Mr. Florentine replied yes; he had verified that information with Kevin Gerrity.

Chairman Pearsall asked Mr. Florentine if he had considered purchasing the property next door, Mr. Florentine stated he had asked the property owner but that he was not willing to sell. Mr. Pearsall asked about the demolition of the existing structure and following the LEEDS recommendations. Mr. Florentine replied he would and that as many products as possible would be recycled; the company he would use provides manifests indicating the recycling manner. Chairman Pearsall asked about the existing trees on the property if they would be maintained; Mr. Florentine replied that he hadn't had the trees evaluated but would only remove any that were damaged.

Mr. Owen asked about privacy fences; Mr. Florentine replied the patios in the rear would be separated by a fence.

Mr. Tangeman pointed out that the proposal does not conform to the borough's master plan; the zone actually allows only single family homes. Mr. Florentine replied that the planner would address that question.

Mr. LoBosco asked if consideration was given to moving 2 of the condos back so that they all were not facing the front. Mr. Florentine replied keeping them all on Railroad Ave. kept the impervious coverage at a minimum, and cars traveling back further with headlights on wouldn't affect anyone.

Mr. Brendle also asked about 4 homes facing each other; Mr. Florentine replied that it would increase impervious coverage.

The meeting was opened to the public for questions of Mr. Florentine and Attorney Tilton. Attorney Kitrick pointed out that this time was for questions on the testimony

Thomas Nobel 557 Wall Rd. asked how many people were notified of the meeting; Mr. Florentine replied about 47.

Kathleen Crippen 564 Atlantic Ave; here representing environmental commission; asked if it would be a 55 or older community, Mr. Florentine replied no. Ms. Crippen asked if there were any environmental issues at the property; Mr. Florentine replied that there wasn't. She also asked if the property was on the historical list, Mr. Florentine replied no.

Pasquale and Deborah Spitaletta 552 Pitney Drive asked about the sidewalk variance in the notice; Mr. Florentine replied that whatever the board requested as far as a sidewalk, curb and grass strip. Mrs. Spitaletta

stated that the town installed sidewalks which he felt needed improvement; Mr. Florentine replied that he would do whatever was deemed necessary.

Melanie Nobel 557 Wall Rd. was concerned about water issues; Mr. Florentine replied that there would be less impervious coverage. Mr. Florentine stated that the building would have drywells installed in the back and in the front if necessary.

Al Weirman 560 Wall Rd. stated his concern for the water /sewer system and if it could handle multi homes built on that site. Mr. Florentine replied that he had talked to Kevin Gerrity from the Water Dept. and that everything was OK. Mr. Weirman asked about traffic; Mr. Florentine replied that it would be less than what it was when the school was there and that the homes would have off street parking.

The public session was closed.

Charles Surmonte, Engineer for the project reviewed his credentials, the board accepted.

Mr. Surmonte reviewed the property as it exists and then reviewed the building on exhibit A-2. He described the present grading of the property but any negative existing conditions would be addressed with a grading plan. Mr. Surmonte stated that he would consult with the Fire Company and address any concerns they had. He also stated that the design of the driveway would allow 2 vehicles to park. He stated that drywells would be installed to collect runoff.

Mr. Cindea asked if there are storm inlets in the front, Mr. Surmonte replied no. Mr. Surmonte stated that there would be less impervious coverage that the present run off would be improved. This would be shown with the site plan approval.

Mr. Tangeman asked about the fire trucks having access; Mr. Surmonte replied he didn't think it would be an issue since the fire hoses could be brought to the rear but certainly at site plan approval he would speak to the fire dept.

Mr. LoBosco pointed out that there has been testimony about building 4 homes; he thought that possibly that would also need a variance.

The meeting was opened to the public for Mr. Surmonte.

Brenda Krampert 743 Wall Rd. asked about the driveway length, Mr. Surmonte suggested that the building could be moved back to make sure 2 vehicles could be parked in the driveway.

Al Weirmen 560 Wall Rd. asked if the homes would be built on a slab; Mr. Florentine replied not.

Thomas Noble 557 Wall Rd. asked about the retaining wall in the corner of the property; Chairman Pearsall if he wanted it, Mr. Noble replied yes.

Melanie Noble 557 Wall Rd. asked if the town rules state that it cannot be built, how is it possible that the application could be approved. Attorney Kitrick explained that it is the board's job to listen to the application and make a determination.

The public session was closed.

Chairman Pearsall suggested that based on the time it would be best to carry the application to the next meeting.

Attorney Kitrick stated to the public that the meeting would be carried and that no further notice would be necessary; Attorney Tilton accepted. Attorney Kitrick announced to the public that if someone couldn't be at the next meeting that they could send in a statement for or against the application.

A motion was made by Mr. Brendle to carry the application and seconded by Mr. Weiss, roll call taken all ayes.

Adjournment: On a motion by Mr. Brendle and seconded by Mr. Zelenak the meeting was adjourned without objection at 10:31 p.m.

Submitted And Approved:

Jamie Siler

Date: June 26, 2014