

**BOROUGH OF SPRING LAKE HEIGHTS
PLANNING BOARD MINUTES
May 21, 2014 at 7:00 PM**

Please stand for moment of silence and flag salute

Roll call:

Mayor Maccanico - present
Councilwoman Patricia Cindea - absent
Leonard Capristo - absent
Kathleen Crippen - present
Roy Francolino – present – Arrived at 7:05 pm
James Hackett - absent
Frederic Manger - present
Robert Merriken - present
Chairman Richard Diver - absent

Alt. #1 Eileen Eilenberger - present

Alt. #2 Stephen Clark - present

Read by Chairman:

Pursuant to the requirements of the New Jersey's Open Public Meetings Act, notice of this meeting was transmitted to the Coast Star and Asbury Park Press newspapers and posted on the boroughs website and the public notice bulletin board in the Municipal Building.

Approval of Minutes:

- **April 16, 2014**

Motion was made by Mr. Manger to approve minutes of the meeting on April 16, 2014; seconded by Ms. Crippen. Roll call taken:

AYES: Ms. Crippen, Mayor Maccanico, Mr. Manger, Mr. Merriken & Mr. Clark
NAYS: None
ABSTAIN: Mrs. Eilenberger

Correspondence and Discussion: None

Old Business: None

New Business: Charles Stewart
Lake Drive
Block 73 Lot 4.02
Informal Review – Minor Sub-Division

Attorney Collins reviewed for the members of the board and the public what an informal review is. He explained that notice is not required in the newspaper nor to the neighbors, that members could ask questions and that approvals are not a part of the hearing.

The applicant, Mr. Stewart introduced himself. He reviewed the property as it exists. Mr. Stewart went onto say that he would like to sub-divide the lot and create 2 new homes. The property required extensive NJ DEP approvals which he had applied for and that today he

received a letter of interpretation. He stated that there are not wetlands on the property. It is a transition area which does require permitting; the property does require CAFRA, Riparian Zone and Wetlands permits. He also received coastal jurisdiction that he does not need a waterfront permit. Based on the regulations he believes he will receive all required permits. He stated that a review of the property does indicate that there has been some dumping on the property but if allowed to move forward all of that would be cleaned up. He stated that the condo property in the rear does drain onto this lot but that he would be correcting that issue with stormwater management possibly to include a rain garden. He stated that he would like to have access onto the properties from Seventh Ave instead of Route 71 due to heavy traffic on Route 71.

Mr. Manger asked about an easement from Monmouth Avenue, Mr. Stewart replied that there was to be one but that it was never recorded. Mr. Manger inquired to Attorney Collins what would happen if not recorded: Attorney Collins replied that the restriction would not be in place. Ms. Crippen asked about the paper street going out to Route 71, Mr. Stewart replied he had hoped not to go that route due to the heavy traffic on Route 71. Mr. Stewart stated that there is an easement from Route 71 just about 10 feet north of lot 7 but that resident typically uses that as their driveway. Mr. Stewart also stated coming in from that way would require DOT approval.

Ms. Crippen stated she was happy to hear that Mr. Stewart wanted to clean up the debris that had been dumped at the water's edge but expressed concern if removed what would happen. She also suggested to Mr. Stewart that he should investigate where the State Tidelands Claim line is. She expressed concern for use of the paper street with regard to heavier vehicles.

Mrs. Eilenberger asked if vehicles came in from the back would the homes then be considered to be facing a street, she went onto say the borough has an ordinance that all homes should be facing a street; Attorney Collins replied that a variance would be needed for the access.

There was discussion among the board members as to the best way to get to the properties. Attorney Collins reviewed with the board the approval process for creating a street. Mr. Manger pointed out that the summer traffic is heavy in that area because of the bungalows on Seventh Avenue.

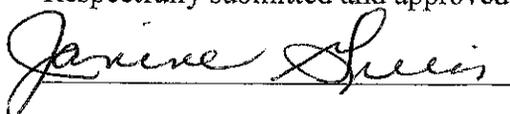
Mr. May stated that his recommendation would be that the access from Route 71 should not be developed as a borough street instead it should just be a heavy duty driveway. Attorney Collins pointed out that if the Borough accepts that, it would not be recognized as a street, it would remain private and the applicant would be responsible for maintaining it.

Mr. Stewart asked if any access was from Highway 71 it wouldn't be a private driveway even if it was sub-standard or would it be a borough street. Attorney Collins replied as a public right of way, it would still be built to driveway standards and both the board and borough would have to approve it.

Mr. Stewart thanked the board for their time and stated he would come back to the board.

Adjournment: There being no further business, on a motion by Mrs. Eilenberger and seconded by Ms. Crippen, the meeting was adjourned without objection at 7:53 p.m.

Respectfully submitted and approved:



Date , 2014