

**BOROUGH OF SPRING LAKE HEIGHTS
PLANNING BOARD MINUTES - June 17, 2015 at 7:00 PM**

Flag Salute and Moment of Silence

Roll Call:

Mayor Maccanico - present
Councilwoman King – absent
Leonard Capristo - absent
Kathleen Crippen - absent
Roy Francolino - absent
James Hackett - present
Robert Merriken - present
Frederic Manger - present
Chairman Richard Diver - absent

Alt. #1 Eileen Eilenberger - present

Alt. #2 Stephen Clark - present

Vice – Chairman Robert Merriken read into the record:

THIS MEETING IS CALLED PURSUANT TO THE PROVISIONS OF THE 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.

Approval of Minutes: April 15, 2015

Motion was made by Mr. Manger to approve minutes of the meeting of April 15, 2015 meeting; seconded by Mrs. Eilenbeger. Roll call taken:

AYES: Mr. Hackett, Mayor Maccanico, Mr. Manger, Mr. Merriken, Mrs. Eilenberger & Mr. Clark

NAYS: None

ABSTAIN: None

Councilwoman Sara King arrived at 7:04 pm

Correspondence and Discussion:

- Letter from Groundwater & Environmental Services dated May 12, 2015
Re: Route 71 & Warren Ave.

Mr. Manger asked what this report meant to the board; Joe May replied that the site is continuously monitored and that this was an update.

- Memo from Joseph May dated June 15, 2015; Recommendations to Council for Ordinance revisions.

Old Business: None

New Business: Charles Stewart
Lake Avenue
Block 73 Lot 4.02
Request for extension.

Attorney Collins reminded the board that Mr. Stewart had come before them and received approval for a sub-division, that this transaction is required to be recorded within 190 days. If the applicant is delayed in recoding the transaction due to other legal entities not having issued their approval in time, the applicant would need to apply to the board for an extension which is why Mr. Stewart is here. Attorney Collins went onto say that this is not a public hearing and that notification or publication is not necessary.

Mr. Stewart was sworn in by Attorney Collins.

Mr. Stewart explained that he has been pursuing the required permits. In filing for the CAFRA permit, Department of Environmental Protection informed him that the property area is potentially located within an endangered species area. When the representative from DEP was at the site he actually saw the endangered species, a Black Crowned Night Heron. It was reported that it potentially could be a nesting spot. Mr. Stewart testified that he hired an expert in the field who has been to the site a couple of times in the last month. The review needed to be done during a certain window of time specifically their breeding season which is about May through June. Mr. Stewart stated that it was determined that it was not a nesting ground; the birds only forge there. A final report of the findings would be sent to DEP. Mr. Stewart stated that until he knew what the report would indicate he held off on some of the required permits because if this area was a nesting ground, building on the property would not happen. Mr. Stewart stated that he was awaiting a report from Freehold Soil Conservation District and on the CAFRA Permit which he expected to get the permit based on the report.

Mayor Maccanico asked if the Department of Environmental Protection would accept the independent company's report, Mr. Stewart replied yes.

Mr. May asked about the length of time on the extension, Attorney Collins replied 1 year, if not completed in that time frame, the applicant would have to start with a new application.

A motion to grant the extension was made by Mrs. Eilenberger and seconded by Mrs. King, Roll Call Taken:

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

- Memo from Joseph May dated June 15, 2015; Recommendations to Council for Ordinance revisions.

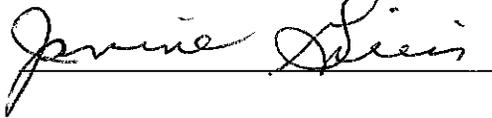
Mr. May reviewed his memo to Mayor and Council with the board. He reviewed the Waiver of Site Plan; reminding them that the decision was theirs if the revision made by an applicant is minor, changing setbacks to 2 feet for accessory structures, and to increase curb cuts to 20 feet. Board members were still satisfied with those recommendations. Attorney Collins reviewed the process by which Mayor and Council would accept the recommendations and move forward with

the adoption. He went on to say that the Planning Board would still review once the ordinance was introduced and review before a possible adoption at a public hearing.

Board Secretary, Janine Gillis reminded board members that at the last meeting, Chairman Diver asked for Planning Board members to attend the council meeting in support of the recommendations and to answer any questions that council may have. Mrs. Eilenberger asked if anyone was going, Mr. May stated that he would be at the meeting to answer any questions.

Adjournment: There being no further business, on a motion by Mr. Hackett and seconded by Mrs. King, the meeting was adjourned without objection at 7:23 p.m.

Respectfully submitted and approved:



Date: August 11, 2015