

**BOROUGH OF SPRING LAKE HEIGHTS
BOARD OF ADJUSTMENT MINUTES OCTOBER 22, 2015**

The meeting was called to order by Chairman Pearsall at 7:30 pm with a salute to the flag.

Roll Call:

Brian Brendle – present
Raymond Miller – absent
Owen Quinn – present
John Tangeman – present
Steven Weiss - present
Andrew Zelenak - absent
Chairman Dennis Pearsall - present

Also in Attendance:
Mark Kitrick, Board Attorney
Louis LoBosco, Board Engineer
Janine Gillis, Board Secretary

Alternate #1
Thomas Martin - absent
Alternate #2
Susan Lalji - present

Meeting Notice: 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: September 24, 2015

Motion was made by Mr. Brendle to approve minutes of the September 24, 2015; seconded by Mr. Tangeman.
Roll call taken:

AYES: Mr. Brendle, Mr. Quinn, Mr. Tangeman, Mr. Weiss, Ms. Lalji and Chairman Pearsall
NAYS: None
ABSTAIN: None

Correspondence: None

Old Business: None

New Business: David & Lori Ketcham Application # Z2015-05
 112 Sixth Avenue
 Block 22 Lots 70 & 71
 Build New Home

Mr. LoBosco, Mr. & Mrs. Ketchum, Mr. Kociuba and Mr. Terrance Hagel were sworn in by Attorney Kitrick.

The following were marked as exhibits:

1. Plot, marked as A-1.
2. Building Plans, marked as A-2.
3. Chamberlin Resolution 2007-14, marked as A-3.
4. Letter to adjoining property owner Debelis/Chamberlin, marked as A-4.
5. Letter to adjoining property owner Katherine Gallagher, marked as A-5.

6. Certified mailing evidence, marked as A-6.
7. Emails from Debelis to Rubino and Rubino to DeDebelis, marked as A-7.
8. Ketchum contract, marked as A-8.
9. Aerial map, marked as A-9.
10. Photo packet of subject property and neighboring homes, marked as A-10.

Attorney for the applicant, Michael Rubino, explained that the applicants presently live in Neptune with 2 children. The children are attending school in Spring Lake Heights as one child has a disability. Mr. & Mrs. Ketchum have elected to put the children in school here and pay for that attendance due to the child's disability, the school offers a wonderful program for that child. The property like others in the area was originally a summer bungalow on an undersized lot. The home the applicant is looking to construct will meet front & rear yard setbacks but requires variance for both side yard setback. The property presently has an oversized driveway which will be addressed. Mr. Rubino stated that under the law, letters should be sent to property owners within 200ft of the property, asking if they would like to sell their property. Mr. Rubino stated that the immediate neighbor was in fact selling their lot but that the purchase price was \$199,000, which is completely out of their budget. Attorney Kitrick explained that the neighbor selling the property is not a factor to consider when reviewing this application. Mr. Tangeman wanted to clarify that the applicant isn't obligated to purchase the property, Attorney Kitrick relied correct.

Mr. Ketchum explained that the quality of schooling in Neptune for his child does not compare to Spring Lake Heights, his son is thriving here. He explained that property was attractive; it meet his budget and he saw the prospect of building a new home as a lot across the street had in fact come to the board. With the children attending school here the family has established friendships within the community.

Mr. Brendle asked if the 2 lots are owned by one individual, Mr. Rubino stated yes. Mr. Rubino added the home their hoping to build is 1800 sq. ft. with a kitchen, dining room, TV room and bath. The second floor will have 3 bedrooms and 2 bathrooms. Mr. Rubino added that if the house was built to fit the side yard setbacks it would be smaller than the existing building. Mr. Rubino asked Mr. Ketchum about the driveway, Mr. Ketchum stated it would be reduced to meet the standard and he stated that the shed in the back yard would be removed. Mr. Rubino asked about curbs and sidewalk installation; Mr. Ketchum replied that both would be installed.

Mr. Quinn asked if the house will have a basement or on a slab, Mr. Ketchum stated slab.

Ms. Lalji asked if the applicant made an offer on the property next door, Mr. Rubino replied no due to the pricing, it didn't seem worth it.

The meeting was open to the public for questions of Mr. Ketchum.

Catherine Gallaher 108 Sixth Ave. asked if the new home would be on both lots, Mr. Ketchum replied yes.

Terrance Hagel-Atlantic Modular of Manasquan stated that he was in the modular business for about 10 years. He described the proposed building stating it was a modest home. He stated that the size is 28 ft. wide and 32 ft. deep, there will be a crawl space and pull down stairs for storage.

Chairman Pearsall asked if there was concern about a fire with the homes so close together, Mr. Hagel replied the home does meet the fire code standards, he added that it is an improvement to what exists. Chairman Pearsall asked if it could be further increased, Mr. Hagel replied yes but not required. Attorney Rubino stated that he would confer with his client.

The meeting was open to the public for questions of Mr. Hagel.

Elizabeth Stader 566 central Ave. asked why the applicant needs to side yard variances, she thought the house should be moved to one side so that only one variance would be needed. Mr. Hagel stated that in order to do that the applicant would lose too much of the house.

Catherine Gallagher 108 Sixth Ave. asked about the fire wall. She recalls her home was required to have them when it was built. Attorney Rubino stated that he conferred with his client and they will upgrade the fire walls.

Joseph Kociuba, gave his background as an engineer. He went on to explain the proposed new home. He stated that it conforms to all standards except the 2 side yard setbacks. He stated that the house will be centered across the 2 lots, the existing shed will be removed and drywells will be installed and the existing driveway will be reduced to 18 ft, and that curbing and sidewalk will be installed. He added the lot is so narrow it creates a hardship. Mr. Kociuba stated that there are several homes that do not meet the sideyard requirement, in his opinion that would be an improvement.

Mr. Tangeman asked if the property is subject to an easement, Attorney Rubino stated that a title search was done and none could be located. Mr. Rubino added that if there was one it would likely be to the rear and the Applicants do not intend to put anything there.

Chairman Pearsall asked Mr. LoBosco if there would be any effect to the neighbors with loss of air or light, Mr. LoBosco stated that with the improvement to the front yard setback it would improve.

Mr. Tangeman asked when the lots were merged: Mr. Rubino stated that he couldn't determine the date.

Ms. Lalji asked Mr. Kociuba stated that he hadn't spoken to the neighbors directly.

Chairmen Pearsall asked about the trees on the property; Mr. Kociuba replied that the tree in the rear will remain but the tree in the front needed to come down; it's presently chopped up from trimming. He added that the AC could be moved to the rear of the property. Mr. Ketchum added that he would be planting some trees.

The meeting was open to the public.

Elizabeth Stader 566 Central Avenue was sworn in. Ms. Stader welcomed them but felt that the 2 variances weren't necessary, one would be OK. Chairman Pearsall asked how long she has lived in town she stated 17 years. He asked if there have been improvements in her neighborhood since she's lived there, she stated yes. Ms. Stader stated that she was not in favor of the cars being parked in the front of the house, Mr. Quinn offered that one of the photos presented as an exhibit indicates that other homes have parking in the front. Mr. Brendle asked Ms. Stader if she had come before the board when her home was built, he remembered something about sidewalks. Ms. Stader replied that when she built the home she did not come before the board. She came for a variance for sidewalk installation, but that was put on hold.

The public session was closed.

Mr. Rubino stated that his client would upgrade the fire wall installation.

Motion was made by Mr. Brendle to approve the application with the installation sidewalks and cur, drywells to be installed, the rear shed to be removed, the driveway will be reduced to a 16 foot apron and curb cut, and move the air conditioner ; seconded by Mr. Quinn. Roll call taken:

AYES: Mr. Brendle, Mr. Quinn, Mr. Tangeman, Mr. Weiss, Ms. Lalji &
Chairmen Pearsall
NAYS: None
ABSTAIN: None

Adjournment: On a motion by Mr. Tangeman and seconded by Mr. Brendle the meeting was adjourned without objection at 9:15 p.m.

Submitted And Approved:

James Green

Date: November 12, 2015