

BOROUGH OF SPRING LAKE HEIGHTS
BOARD OF ADJUSTMENT MINUTES JANUARY 28, 2016

Meeting called to order and salute to the flag

Roll Call:

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

Alternate #1

Thomas Martin - present

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: December 17, 2015

Motion was made by Mr. Brendle to approve the minutes of December 17, 2015, seconded by Mr. Tangeman.
Roll call taken:

AYES: Mr. Brendle, Mr. Quinn, Mr. Tangeman, Mr. Weiss, Mr. Zelenak and Chairman Pearsall

NAYS: None

ABSTAIN: Mr. Miller, Mr. Martin, Ms. Lalji

Mr. LoBosco reported that he looked into the inquiry made by Mr. Tangeman about the property at 560 Mercer Ave. The homeowners had been before the board for renovations to the existing structure. Mr. Tangeman reported that the entire structure had been removed. Mr. LoBosco made inquiries to both the builder and the construction office. Both reported that there was structural damage that required a full destruction but that they would be building according to the plans that had been presented to the board.

Correspondence: None

Old Business: Resolution 2016-06
Wayne Mackenrodt Application# Z2015-07
564 Church St.
Block 59 Lot 33
2nd Floor Addition on Non Conforming Use

Motion was made by Mr. Brendle to approve Resolution 2016-06 and seconded by Mr. Weiss, roll call as follows:

AYES: Mr. Brendle, Mr. Quinn, Mr. Tangeman, Mr. Weiss, Mr. Zelenak and Chairman Pearsall

NAYS: None

ABSTAIN: Mr. Miller, Mr. Martin, Ms. Lalji

New Business: Frank Amadruto Application #Z2015-08
603 & 603 ½ Pitney Drive
Block 59 Lot 11
Use variance for New Home & Certification of garage apartment

Mr. LoBosco, Mr. Amadruto, Mr. Cannon and Mr. Alburtus were sworn in by Attorney Kitrick. The applicant was represented by Michele Clark, Esquire.

Entered as exhibits:

1. Application of Frank Amadruto, owner of the property located at 603 and 603-1/2 Pitney Avenue, marked as A-1.
2. Certified lists of property owners within 200 feet of the property, marked as A-2.
3. Affidavit of Publication for the publication in the Asbury Park Press on January 16, 2016, marked as A-3.
4. Affidavit of Mailing and notices sent to property owners within 200 feet of the property with Certified Mail receipt and Green Cards, marked as A-4.
5. Photograph of existing property, marked as A-5.
6. Photograph of existing property, marked as A-6.
7. Photograph of existing property, marked as A-7.
8. Section 22.606.2 of the Zoning Ordinance which shows allowable uses in the Business Zone, marked as A-8.
9. Portion of Chapter 121 entitled "zoning" showing the adoption of the Ordinance in 1963, marked as A-9.
10. Zoning permit issued to applicant in 2008 allowing renovations of rear garage apartment, marked as A-10.
11. Certificate of Occupancy for rear garage apartment, marked as A-11.
12. Jersey Central Power & Light electric bill for 603 Pitney Avenue, marked as A-12.
13. Jersey Central Power & Light electric bill for 603-1/2 Pitney Avenue, marked as A-13.
14. Plot plan, marked as A-14.
15. Plot plan, marked as A-15.
16. Photograph of house, known as the Arlington Model, marked as A-16.

Ms. Clark stated that the property as it exists is a multi-family in a business zone; she added that there are 2 structures on the property known as 603 & 603 ½ Pitney Drive. Presently there are non-conforming issues; lot coverage, setback buffer between the residential and business zones. The owners would like to demolish the front home and rebuilt with a modular, maintaining the garage and garage apartment. Exhibits A-5, A-6 and A-7 show this description.

Mr. Amadruto stated that the home was built in the 1920's with his family as owners since 1968; he stated that the garage apartment has been continuously rented since that time. He stated that the main home was in need of repair and that it was more cost effective to demolish the existing structure and put the modular in. The front home is the primary residence. If approved, he intended to have the property professionally landscaped. He added that it has always been a 2 family with the garage apartment, there have been improvements to the garage apartment which were approved by the zoning officer. Ms. Clark offered that A-10 & A-11 were the approved permits for zoning and certificate of occupancy. Mr. Amadruto offered that on one side of the property are apartments and the other side are residential homes, most have been updated.

Mr. Zelenak asked if present or former tenants are present, Mr. Amadruto replied yes.

Mr. LoBosco asked if cars are kept in the garage, Mr. Amadruto replied no mostly storage. Mr. Martin asked about the number of bedrooms, Mr. Amadruto replied 1 bedroom. Chairman asked about the square footage, Mr. Cannon replied approximately 500 square feet.

Mr. Miller asked if there were Certificate of Occupancies other than the one presented in 2014 or utility bills of prior rentals. Ms. Clark replied that there has been CO's issued since the Amoscato's have owned the property, they did contact the utility companies for older utility bills, they were unable to provide them.

The meeting was open to the public of Mr. Amadruto; none presented.

Michael Cannon, Engineer for the project, reviewed his credentials. He reviewed the table on the plot plan, describing the home as it exists and the proposed changes. He added that the property is in a B1 zone but in fact is a residential home. He testified that the construction impact to neighbors will be minimal since it is a modular home. The new home will be similar to the neighboring properties as most are 2 stories. He added that the sidewalk, curb and apron are in good shape and that drywells are not planned as the coverage changing is minimal. The driveway is going to be re-positioned increasing the width to 10 feet; presently it's 8 feet.

Mr. Tangeman asked if the applicant considered approaching the town about moving the zone line to include this property in the R5 zone, Mr. Cannon replied no.

Chairman Pearsall asked if there will be a new foundation, Mr. Cannon replied yes.

James Alburtus –Atlantic Builders introduced himself and gave his background.

In preparation of the modular delivery there will be a 1-2 demolition of the existing structure which they will acquire police officers for traffic duty. This will also be requested when the modular arrives. He stated that the new home is modest with a front porch which was presented as exhibit A-16. He stated that the new home is modest with 3 bedrooms. The height of the home is 27.6 but with grading goes to 33.5 feet.

Mr. Brendle asked if the height of the home could be changed, possibly roof lines, to meet the maximum height requirement of 32 feet. Mr. Alburtus replied, yes; Mr. Amadruto agreed.

Chairman Pearsall asked if the placement of the new home could be centered more on the property, Mr. Alburtus replied that it was shown this way to allow for more access for emergency vehicles to get to the rear of the property. Chairman Pearsall asked if they could get through now, Mr. Albertus thought an ambulance but not a fire truck.

The meeting was open to the public.

Jean Meyer 605 Pitney Drive lives next door to the property and is not happy about the home moving further into the setback which brings it closer to her property line. After much discussion the house placement will be adjusted to maintain a setback of 8 feet.

Motion was made by Mr. Brendle to approve the continued use of multi family, new plans presented to the engineer with new side yard setback of 8 feet on west side and proposed new home height of 32 feet and the installation of drywells.; seconded by Mr. Quinn, Roll call taken:

AYES: Mr. Brendle, Mr. Miller, Mr. Quinn, Mr. Tangeman, Mr. Weiss, Mr. Zelenak. & Chairman Pearsall
NAYS: None
ABSTAIN: None

569 Ocean Road
Block 23 Lot 27
Front Porch and 2nd story edition

Ms. Corbett was sworn in by Attorney Kitrick. Michael Rubino represented Ms. Corbett. Mr. Rubino reviewed the existing conditions on the property; it presently has a porch which will be replaced, an existing deck will be reduced in size. A new full second story will be added. Mr. Rubino added that the existing driveway, curb and sidewalk are in good shape, but that a second look will be done after the work is complete to verify if still ok, they will be replaced if necessary.

The following were entered as exhibits:

- A-1 Buy – Sell letters (no offers or acceptance)
- A-2 Photographs of neighboring homes.
- A-3 Photographs of subject property
- A-4 Survey prepared by William J. Fiore, Inc., dated October 6, 2014
- A-5 Architectural Plan

Ms. Corbett stated that she purchased the property in 2014; she would like to make it a year round home. She does share an existing driveway with her neighbor at 567 Ocean Rd which works very well. She added that the shed at the rear of the property is going to be removed.

Mr. Richard Graham, architect reviewed the planned improvements. He stated that the home will increase to 1445 square feet to 2010 square feet. The improvements include a mud room and powder room on the first floor with a full 2nd story. The height of the home will be less than 32 feet. He added that the existing side yard variances already exist and will not be changing. Mr. Graham testified that the proposed changes are in character of the neighborhood. Mr. Graham reported that it is an undersized lot, qualifying for a hardship variance: Attorney Rubino stated that letters were sent to neighbors about purchasing additional property; to no avail.

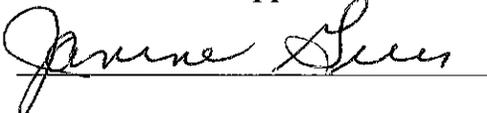
The meeting was open to the public – none presented.

Motion was made by Mr. Brendle to approve the application with installation of drywells, the removal of the shed, the new structure shall not exceed 32 feet, and a review by the board engineer of the sidewalk, curb and apron once work is complete; seconded by Mr. Martin, Roll call taken:

AYES: Mr. Brendle, Mr. Miller, Mr. Quinn, Mr. Tangeman, Mr. Weiss, Mr. Zelenak, & Chairman Pearsall
NAYS: None
ABSTAIN: None

Adjournment: On a motion by Mr. Brendle and seconded by Mr. Quinn the meeting was adjourned without objection at 10:14 p.m.

Submitted And Approved:



Date:  February 25, 2016