

**BOROUGH OF SPRING LAKE HEIGHTS
PLANNING BOARD MINUTES**

August 17, 2016 at 7:00 PM

The meeting was called to order by Acting Chair Eileen Eilenberger at 7:05 p.m. and opened with a silent reflection and Pledge of Allegiance

Roll Call:

Eileen Eilenberger – present
Roy Francolino – absent
James Hackett - absent
Nancy Hayduk - present
Frederic Manger - present
Councilman Merriken – present
Nathaniel Novak - present
Mayor O’Brien - present
Chairman Richard Diver - absent

Also Present: Dennis Collins, Board Attorney
Joseph May, Borough Engineer

Alt. #1 Open
Alt. #2 Stephen Clark - present

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: June 15, 2016 meeting

Motion was made by Mr. Manger to approve the minutes of the June 15, 2016 meeting; seconded by Mayor O’Brien. Roll call taken:

AYES: Ms. Hayduk, Mr. Merriken, Mr. Manger, Mr. Novak & Mayor O’Brien
NAYS: None
ABSTAIN: Mrs. Eilenberger, Mr. Clark

Correspondence and Discussion:

- Rules & Regulations of the Planning Board

Attorney Collins updated members as to status and would be conferring with Chairman Diver about distribution.

Old Business: None

New Business: Stewart Application # P2016-02
Lake Drive
Block 73 Lot 4.02

Mr. May and Mr. Stewart were sworn in by Attorney Collins.

Attorney Collins announced that this application was an amendment application; the applicant is looking to change the access to the property. He reminded all that the sub-division has been previously approved.

Marked as exhibits were the following:

A-1 Site Plan dated July 23, 2016, present proposal – 1 sheet

A-2 Site Plan dated May 1, 2014 revised November 21, 2014, original plan – 1 sheet

Mr. Stewart testified that Exhibit A-2 indicating access from the property to Hwy 71 was approved by the board in 2014, that access needed further approval from the Borough. Through the process of attaining approval from the Borough it was determined that the Borough owns a portion of what was going to be his access, as shown on A-2, indicated in green. He had made application to obtain an easement from the Borough but this process was not making any progress. Mr. Stewart would like to gain access to the property along the northerly 10 ft. of Mr. Skellinger's property which is Block 73 Lot 7. He testified that this access was always available to him but it was felt going through the other side was better. He is presenting an amended plan tonight.

The revised Plot Plan was marked as exhibit A-3; Mr. Stewart stated that access to the property will now be to the back of the house where previously it was the front. Mr. Stewart offered that he felt it was actually better, in that there will now be an open view of Wreck Pond. He testified that he's still not distributing the riparian zone, wetlands transition area or flood zone. He added that he has spoken to various DEP personnel and they have been to the site numerous times. Mr. Stewart highlighted on the plan the riparian zone in pink. Mr. Stewart stated that a condition of the CAFRA Permit is that all the debris, in particular concrete shall be removed; he added the approval is on hold until such time that the amended approval is given. Attorney Collins clarified with Mr. Stewart that in order for him to move forward with the project he is required to get a CAFRA Permit, Mr. Stewart replied yes. Mr. Stewart stated that the homeowner, Mr. Skellinger actually prefers this access over the previously approved.

Mrs. Eilenberger asked if there are any wetlands on the property, Mr. Stewart replied that there is a small piece of wetlands at the edge of the pond, he marked that in yellow on the plan, there's also a small wetlands transition area. Mr. Stewart added that he is staying out of the flood zone.

Attorney Collins stated that all required permits would need to be obtained before any work is started and all approvals would be made a contingency to this approval if given tonight, it would also require that the board engineer will review that all requirements have been met.

Mrs. Eilenberger asked if DOT approval has been given, Mr. Stewart stated that it's already in place.

Mr. Novak asked about the review letter which indicates some variances, do we need to make approvals for that. Attorney Collins replied that the property does not have a street so front yard variances do not apply.

Ms. Hayduk asked about the width of the driveway, Mr. Stewart replied 10 ft. She also inquired if the driveway approaches the homes does it get wider; she expressed concern for emergency access. Mr. Stewart replied yes but pointed out that fire trucks could gain access from Highway 71 and from Monmouth Ave. She asked Mr. Stewart if curbing will be on the driveway, Mr. Stewart replied no but that he was proposing that the driveway be paved. Ms. Hayduk asked about recycling and bulk pick up, Mr. Stewart replied it would be brought out to Rt. 71. Attorney Collins pointed out that the previous resolution stated that Mr. Stewart should provide a refuse area and confirm with the Borough the mechanism for the pick up

Mrs. Eilenberger asked about the requirement for the driveway and property line, Mr. May stated that it's 2 ft. right now and is a preexisting condition.

Attorney Collins explained that since this access does not face a public street and therefore it is not required to be paved, he asked if the board had a preference. Mr. May stated that he would prefer it to be paved. Mrs. Eilenberger asked would it be the whole driveway or only the area Mr. Stewart has access to. Mr. Stewart stated that he would be willing to pave the whole driveway, including Mr. Skellinger's property. Attorney Collins added that Mr. Skellinger's approval would be needed for the portion of the driveway that he owns.

Ms. Hayduk asked if the board is approving any variances, Attorney Collins replied that the board is approving a property that is not fronting on a public street and that the board feels there is adequate access to the property for emergency vehicles; he added that we are granting a permit to build. Ms. Hayduk asked if the property has 2 backyards? Mr. May feels that it is all rear/side yards which means it's all 10 ft setbacks, we know there's no front yard. Attorney Collins stated that the board is not granting a variance.

The meeting was open to the public for questions.

Kat Crippen 564 Atlantic Ave asked Mr. Stewart about the deed he found for the property on the plan where the original access was going to be, she asked if it is a filed deed with a book & page, Mr. Stewart replied yes. Ms. Crippen asked if he had offered to purchase the property from the Borough, Mr. Stewart replied no.

The meeting was open to the public for comments.

John Tangeman 564 Atlantic Ave, spoke in favor of this application and felt it was a long time coming.

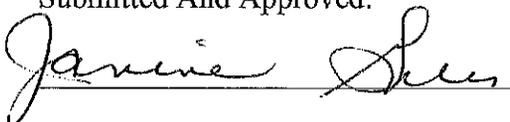
Kat Crippen 564 Atlantic Ave, spoke in favor of this application. She expressed that she was pleased that he would be cleaning up this area. She also stated that she was happy that he had found the deed for the property that was the original access indicating that the property was in fact owned by the Borough.

Motion was made by Mr. Manger to approve the amended application incorporating all previous conditions, that the 10 feet of driveway is paved with the option of paving the balance with Mr. Skellinger's permission; seconded by Mayor O'Brien. Roll call taken:

AYES: Ms. Hayduk, Mr. Merriken, Mr. Manger, Mr. Novak, Mayor O'Brien, Mr. Clark & Mrs. Eilenberger
NAYS: None
ABSTAIN: None

Adjournment: On a motion by Mayor O'Brien and seconded by Mr. Novak the meeting was adjourned without objection at 7:45 p.m.

Submitted And Approved:



Date: 