

**BOROUGH OF SPRING LAKE HEIGHTS
BOARD OF ADJUSTMENT MINUTES SEPTEMBER 22, 2016**

The meeting was called to order with a salute to the flag and a moment of silence by Chairman Pearsall at 7:30p.m

Roll Call:

Brian Brendle – present
Raymond Miller – present
Owen Quinn – present
John Tangeman – present
Steven Weiss - present
Andrew Zelenak - present
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 - resent

Chariman Pearsall announced: 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.

Each applicant shall be limited to fifty (50) minutes to present their case, as per Resolution # 10-2007.

Approval of Minutes: August 25, 2016 Meeting

Motion was made by Mr. Brendle to approve the minutes of August 25, 2016; seconded by Mr. Miller; Roll call taken:

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

Correspondence: None

Old Business: **Resolution No. 2016-15 (the resolution number was amended at meeting)**
Application #Z2016-06
James Dugan
623 Central Avenue
Block 19 Lot 5.01

Motion was made by Mr. Brendle to approve Resolution No. 2016-15, seconded by Mr. Miller; Roll call taken:

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

Board member Thomas Martin arrived at 7.35pm.

New Business: **Application No. Z2016-07**
Louise & Joseph Cullen
2409 Hamilton Avenue
Block 51 Lot 97
Front Porch with Front & Side Yard Setback

Mr. Louis Lobosco and Mrs. Cullen were sworn in by Board Attorney, Mark Kitrick.

Chairman Pearsall reviewed the steps of the application hearing.

Mrs. Cullen explained that she would like to enclose the existing patio in the front of her home, she has a large family and she would like to take advantage of the outdoor space. She stated that she would like to have a porch that measures 24 ft X 9 ft. She testified that she would like to increase the size, because of having to add the railings and columns as well as having outdoor furniture. Chairman Pearsall asked about the size of the existing patio, Mrs. Cullen replied it's 24ft X 8 ft. Mr. Tangeman asked about the front yard setback measurement, Mr. Lobosco's letter indicates 29.3 and then with the porch it goes to 20.3. Mr. Lobosco explained that the 29.3 measurement does not include the porch, because it's not covered. Mr. Tangeman asked if she presently uses the patio, Mrs. Cullen replied yes but not as much as she would like since it's not covered and that the furniture is exposed to the rain. Mr. Tangeman asked about the comment in the application referencing the Master Plan, Mrs. Cullen couldn't recall where she had seen that. Mr. Brendle asked if drywells would be installed, Mrs. Cullen stated no but that if necessary she certainly would. Chairman Pearsall asked if the porch will be open, Mrs. Cullen replied yes. She added that there are other houses on her block with porches.

Entered as an exhibit:

A-1, A-2 & A-3 pictures of neighboring homes with porches.

Chairman Pearsall asked how the porch might affect her neighbors; Mrs. Cullen stated that it will be a little short of the neighbors and feels it wouldn't affect them. Mr. Brendle offered that with the porch the setback is 20 feet but then there is an additional 10 feet with the right of way. He offered that the porch will actually be 30 ft. away from the curb. Ms. Lalji asked if the porch is on a slab, Mrs. Cullen replied yes, she also asked how far off the ground it will be, Mrs. Cullen replied it will be even with the ground. Mr. Weiss asked how you will enter the porch, Mrs. Cullen replied from the driveway. Mr. Tangeman asked if she would consider keeping the porch the size it is now, Mrs. Cullen replied that she would like the 9 feet, the extra space is needed for the railings, columns and furniture. Chairman Pearsall asked if the porch will be enclosed, Mrs. Cullen stated that it would not be enclosed.

The meeting was open to the public.

Jeanne McAlary 1206 Holly Place, stated that the porch makes the home pretty and more inviting and feels that it wouldn't exceed the neighbors on either side.

Mr. Lobosco wanted to clarify that the existing patio is going to remain; Mrs. Cullen replied yes that is their intention.

On a motion by Mr. Brendle and seconded by Mr. Quinn, the public comment period was closed without objection. Roll call taken, all ayes.

Motion was made by Mr. Brendle to approve the application with the installation of drywells for the porch roof; seconded by Mr. Zelenak. Roll call taken:

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

Application No. Z2016-09

John & Rose Pasquale

559 Warren Avenue

Block 67 Lot 6

Use Variance with Side Yard Setback

Michael Rubino, Attorney introduced himself as the attorney for the applicant.

Attorney Rubino reviewed the background of the family; he explained that the applicant's son is totally disabled and that they are his caregivers. The family presently is only able to use the first floor of the home, the bedrooms are on the second floor and they are not able to use them. The applicant is looking to expand with a 6ft X 5ft addition to the rear of the home to add an elevator for use of the 2nd floor.

Mr. & Mrs. Pascale, Mr. Jeffrey Schneider and Mr. Savacol were sworn in by Attorney Kitrick.

Entered as exhibits:

1. Photographs of home, marked as A-1 through A-7.
2. Architectural renderings, marked as A-2
3. Aerial photograph and depiction of alcove where elevator will be, marked as A-3.
4. Letter from Borough authorizing insurance business to occupy rear of the building, marked as A-4.

Mr. Pascale testified that he purchased the home in 1980, lived there for 10 years, renovations were done in 2000, the property was rented and in 2005 he retired and moved to Hilton Head. At the time his son was living in Alabama, he fell ill and became disabled in 2012. He added that he and his wife were appointed his guardians. They moved back to New Jersey in 2015 because of family here who would assist in his care. Mr. Pascale stated that the dining room on the first floor is used as a bedroom. If approved, the elevator would allow them to use the bedrooms and bath upstairs. Mr. Pascale stated that his son is confined to a wheelchair.

Mr. Rubino asked Mr. Pascale about the business run from the building in the rear; Mr. Pascale stated yes he uses it to run his insurance business.

Mr. Tangeman asked about the statement in the application that says that he was hurt in the service. Mr. Rubino replied that he didn't know why that was in; he offered possibly it's an error by my secretary.

Mr. Martin asked about the noise level; Mr. Pascale stated that he was in an elevator and he didn't hear anything.

Jeffrey Schneider, Architect reviewed his credentials. Mr. Schneider explained that the elevator will be on the southwest corner of the home and will tie into the existing roof line and will not be seen from the street. The exterior will have the same siding and detailing. Chairman Pearsall asked if the wheelchair and a person could fit, Mr. Schneider replied yes. He added that it will open directly into the son's bedroom. Mr. Lobosco asked if the dimensions are exact; he had a concern that through construction that the size may be altered, he suggested adding a few inches. Mr. Lobosco asked if the elevator is electric or hydraulic, Mr. Schneider replied electric. Ray Savacol, Engineer for the project was sworn in by Attorney Kitrick.

Mr. Savacol described the existing lot and stated that it is in the B1 zone. He added that residence has existed for many years, the use isn't going to expand, it's going to allow access from the 1st floor to the 2nd. In his opinion the use can be granted without detriment to the public.

The meeting was open to the public, none presented.

On a motion by Mr. Brendle and seconded by Mr. Miller, roll call taken, all ayes.

Motion was made by Mr. Miller to approve the application with the addition of 6 inches on all sides; seconded by Mr. Brendle. Roll call taken:

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

Application No. Z2016-10
Samantha & Thomas Crader
550 Brighton Avenue
Block 56 Lot 65
Informal Hearing

Attorney Kitrick reviewed for the members that this was an informal hearing; information purposes only.

Peter Carton introduced himself as the attorney for Mr. & Mrs. Crader; he thanked the board for the time tonight.

The property is presently owned by the bank and is presently used as a print shop. The applicant is looking to buy the property and operate his electrical business from the building. Mr. Carton stated that the applicant is looking to get a feel from the board that it's acceptable for this use as well as similar businesses. If they purchased the property and eventually decided to sell, that a potential purchaser could operate a business from the location and not have to go through this process. Chairman Pearsall asked exactly how the business would operate. Mr. Crader stated that it would include the office, storage and small manufacturing. Attorney Carton asked about the number of employees, Mr. Crader replied 5. Mr. Weiss asked about vehicles, would they would be left on site or taken home, Mr. Crader replied both. Chairman Pearsall asked about the driveway in the rear, Mrs. Crader thought that it could hold 3 vehicles but the area is in bad shape and needed to be cleaned up. Mr. Martin asked how long they were in business, Mr. Crader replied since 1996. Mr. Miller asked about the concrete pad, Mr. Crader thought he would probably remove it. Mr. Tangeman asked what light manufacturing is, Mr. Crader replied that it would mean building a temporary service for delivery to the sight. Mr. Tangeman asked what the noise level of the equipment is; Mr. Crader stated mostly small tools such as cordless drills and circular saws. Mr. Brendle offered that this use would be light but can't really give carte blanche to the next user; it doesn't leave the neighbors in a good position. Mr. Zelenak agrees, you can't see the future for an unknown business.

Mrs. Crader explained that they were interested in the property but wanted to know that they would be able to sell the property in the future. She added that there was an approval for a cabinet maker and then somehow the printer moved in. The property would work great for us but feels that it would be good for roofer, plumber or home improvement. Mr. Brendle stated that it would be good for them in that there's not a lot of traffic.

Attorney Kitrick offered that the board can be specific as to what would be allowed. If this were to ever be approved, the resolution could detail approved businesses and those that would not be allowed. Mr. Lobosco suggested that the applicant speak to the neighbors.

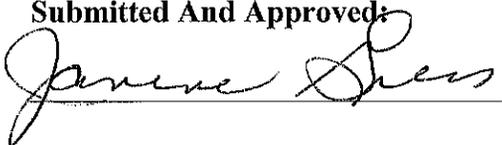
There was discussion as to the size of the property and its value.

Mr. Tangeman stated that it's difficult to say what other businesses would be allowed without knowing the type such as what the noise level would be. There was discussion as to what may work there.

Attorney Carton and the Craders thanked the board.

Adjournment: On a motion by Mr. Quinn and seconded by Mr. Brendle the meeting was adjourned without objection at 8:48 p.m.

Submitted And Approved:



Date: *October 27,* 2016