

**BOROUGH OF SPRING LAKE HEIGHTS
BOARD OF ADJUSTMENT REGULAR**

January 26, 2017 at 7.40 PM

The meeting was called to order with a salute to the flag and a moment of silence by Chairman Pearsall at 7:40p.m.

Roll Call:

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

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

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: December 20, 2016

Motion was made by Mr. Miller to approve the minutes of December 20, 2016; seconded by Mr. Tangeman; Roll call taken:

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

Correspondence: None

Old Business: None

New Business: Edward Hudson & Patricia Lowthrop **Application # Z2016-12**
1218 Ocean Road
Block 25.02 Lot 29.02
Variance for Driveway

Mr. Lobosco, Mr. Hudson and Ms. Lowthrop were sworn in by Attorney Kitrick.

Mr. Hudson moved into the home in 2010. It was originally part of a sub-division where 2 lots were created both non-conforming; when the home was built in 2000, the original driveway was 25 ft wide. Mr. Hudson expressed that living on Ocean Road which is very busy makes it difficult to pull out of the driveway. His neighbor had a wider driveway with pavers enabling them to turn around in their driveway and pull out onto Ocean Road rather than backing out. He thought it was a good idea and added an additional 18 ft to his driveway which enables them to do a K-turn in the driveway. He explained that vehicles coming off of Old Mill Road making a right turn to travel east on Ocean Road aren't always visible since they whip around the corner. He pointed out that at this part of Ocean Road there is no street parking and the easterly end there is street parking which cars do travel a little slower because of cars parked at the curb. He pointed out that when the auto speed sign was in place he noticed cars would travel up to 55 miles an hour. He explained that for their safety the driveway was extended and that at the time was not aware that he couldn't do the extension.

Entered as exhibit A-1; Mr. Hudson presented a binder with photographs of various driveways that appear to exceed the Borough's ordinances with regard to driveway size. Mr. Hudson pointed out that most of the pictures depict the driveway placed in the front of the home; theirs is on the side.

Mr. Brendle asked when it was installed; Mr. Hudson replied July 2016. He added that at the time he did the driveway, a fence and plantings were done. He wasn't aware that the driveway and fence were a problem until he received a letter from Neil Hamilton stating that the fence was too close to the curb and that driveway was oversized. Mr. Hudson stated that Mr. Hamilton stated that the fence and the driveway needed to be removed or that a variance would be needed for the driveway. Mr. Hudson stated that the fence was removed.

Ms. Lalji asked if the plantings and mulch were on the outside of the fence, Mr. Hudson replied yes.

Mr. Tangeman asked if the traffic traveling from east to west is a problem as well. Mr. Hudson replied yes, he added that his truck is 22 ft in length so when he starts to back out he's in the roadway. Mr. Tangeman stated that he was at the site tonight and asked about the 3 vehicles in the driveway, one covered. Mr. Hudson stated the one covered is used occasionally. Mr. Tangeman asked how many drivers in the house, Mr. Hudson replied 2. Mr. Tangeman asked how many cars can fit in the driveway replied about 6. Mr. Tangeman asked if he intended to use the space to repair vehicles, Mr. Hudson replied no. Mr. Tangeman asked Mr. Hudson if the board approved the variance would he stipulate that in the resolution, Mr. Hudson replied yes.

Mr. Brendle pointed out that the pictures in the exhibit show many homes with oversized driveway; Chairman Pearsall added that none have come before the board.

Mr. Miller added that he sees it could be dangerous pulling out and feels having the space to turn the vehicle around is much safer.

Mr. Hudson asked where the 20 foot requirement comes from. The board members discussed that at the time it was established it was probably sufficient but with the size of vehicles today, maybe not.

Chairman Pearsall asked about the water runoff since they have added coverage. Mr. Hudson replied that there is a downspout. Mr. Lobosco explained that the installation of a drywell would put the water back into the ground rather than the storm drain. Mr. Hudson replied that if the board would like to see one installed he would work with the board engineer to install a suitable one.

The meeting was open to the public

Doreen Klimkiewicz 1220 Ocean Road - She came in support of her neighbors, she does not have a problem with the extended driveway, she wished that she could do it. She agrees that it's very difficult to pull out of the driveway, she added with the installation of traffic lights on Allaire and Ocean Roads traffic may have increased on their street. Chairman Pearsall asked the width of her driveway; she wasn't sure.

The public comment period was closed.

Mr. Tangeman made a motion to approve the variance with the condition that a drywell is installed based on recommendations by Mr. Lobosco and that the site wouldn't be used for a commercial auto repair business, seconded by Mr. Zelenak, roll call:

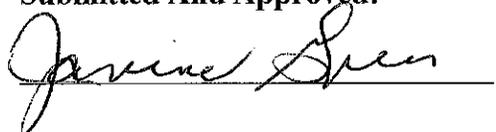
AYES: Mr. Brendle, Mr. Miller, Mr. Quinn, Mr. Tangeman, Mr. Zelenak, Ms. Lalji & Chairman Pearsall

NAYS: None

ABSTAIN: None

Adjournment: On a motion by Mr. Brendle and seconded by Mr. Quinn the meeting was adjourned without objection at 8:52 p.m.

Submitted And Approved:

A handwritten signature in cursive script, appearing to read "Jarvin Green", is written over a horizontal line.

Date: *February 23* 2017