

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

February 15, 2017 at 7:00 PM

The meeting was delayed due to late arrival of board member.

The meeting was called to order by Chairman Eileen Eilenberger at 7:17 p.m. and opened with a Silent Reflection and Pledge of Allegiance.

Roll Call:

Roy Francolino - absent
James Hackett – present
Nancy Hayduk - present
Frederic Manger - present
Councilman Merriken - present
Nathaniel Novak - absent
Mayor O'Brien - absent
Chair Eilenberger - present

Also Present: Gregory Vella, Board Attorney
Joseph May, Borough Engineer

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

Chair Eilenberger 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.

Approval of Minutes: December 21, 2016 & January 18, 2017

Board Secretary announced a revision to the minutes of January 18th. Resolution 2017-03 was seconded by Mr. Merriken.

Mr. Hackett made a motion to approve the minutes as amended, seconded by Mr. Merriken; roll call taken:

AYES: Mr. Hackett, Ms. Hayduk & Chair Eilenberger
NAYS: None
ABSTAIN: None

Correspondence and Discussion: Added at the meeting:

Letter from Anthony Garofalo dated January 20, 2017 regarding the property at 496 Villa Park Way Spring Lake, NJ Block 25 Lot 1.02

Chairman Eilenberger wanted to point out to members that in 2015 there was a change to Ordinance 22.601 in the code book; it appears that it's not in the manual the board members have. Janine explained that members should now look on-line as the code book is completely up to date. Mrs. Eilenberger added that it refers to the height in the flood zone.

Old Business: **Resolution 2017-05**
Amoscato Family LLC **Application No. P2016-04**
2003-2005 Highway 71
Block 46.01 Lots 1,65,66 & 67
Site Plan Amendment

Mr. Vella announced a board member pointed out that there was some language missing from the resolution. Ms. Hayduk read the following: “The noise shall not exceed zero (0) decibels at the outside of the building from the condenser and other noise making equipment associated with the walk in cooler”; Board members agreed. Board Secretary, Janine Gillis added that this language is included in the minutes of January 18, 2017. Attorney Vella stated that he would make the change on the resolution.

Mr. Hackett made a motion to approve Resolution No. 2017-05 as amended, seconded by Ms. Hayduk; roll call taken:

AYES: Mr. Hackett, Ms. Hayduk & Chair Eilenberger
NAYS: None
ABSTAIN: None

New Business: 415 Highway 71 Corp (Spring Lake Manor) **Application No. 2017-01**
415 Highway 71
Block 34 Lot 40
Lot Coverage Variance

Attorney Vella announced that notice & publication are in order.

Durmeriss Cruver-Smith introduced herself as counsel for the applicant.

Mr. John Nagle, applicant, was sworn in by Attorney Vella.

Introduced as exhibits:

A-1 Picture of Existing Building

A-2 Picture of Existing Building with Addition.

A-3 Plan entitled “Site Plan for Spring Lake Manor, Proposed Building Addition, Block 34, Lot 40, Tax Map Sheet #1, 415 N.J.S.H. 71, Borough of Spring Lake Heights, Monmouth County, New Jersey” prepared by Dynamic Engineering, consisting of one (1) sheet dated January 31, 2017

A-4 Plan entitled “Addition, Spring Lake Manor, 415 Route 71, Spring Lake Heights, NJ, Lot 40 Block 34” prepared by Christopher Rice, Architect, consisting of one(1) sheet dated January 31, 2017

Mr. Nagle explained that he started a renovation back in 2008 but was unable to finish the project. This proposed addition adds about 430 sq. feet.

Mr. Vella asked Mr. Nagle to address the 2 comments in Mr. May’s review letter (2.1 & 2.2).

Mr. Nagle explained that this request is not to expand the seating area; the present seating capacity is 340 and the parking is more than adequate. It's strictly to improve the flow for the patrons. Mr. Merriken asked if this would be increasing seating, Mr. Nagle replied no. He added that a lot of his events include school sports teams with children and now the only drink station is the bar. The expansion would allow for a separate soda station, keeping the children out of the bar area.

Chairman Eilenberger asked if the expansion will match up to the existing addition, Mr. Nagle replied yes. The proposed addition was a part of the initial renovation back in 2008 He added that the grass area shown will remain; it's where the well and sprinkler systems are.

Mr. Merriken asked if the door shown in the photos will remain, Mr. Nagle replied yes.

Ms. Hayduk asked if there would be additional lighting outside, Mr. Nagle replied no.

Chairman Eilenberger asked Board engineer, Joe May if he had any concerns with parking, he replied no. Mr. May stated that Mr. Nagle explained that this is not going to expand his seating capacity. Mr. May added in his opinion it's a diminimus expansion. Mr. May added that in his opinion a drywell wouldn't be necessary for this application.

Ms. Hayduk stated that she could see water leaders coming off the building, she asked where the water runoff will go, pointing out that exhibit A-1 shows it going to the driveway. Mr. Nagle replied that the plan doesn't show it but that the water will go directly to leaders and gutters will be on the addition. Ms. Hayduk asked if there is a way to keep the water in the grass, Mr. Nagle stated that it will go to the existing well which are right there. Ms. Hayduk asked if he would agree to tie the runoff into the well, Mr. Nagle replied yes.

Councilman Merriken asked if there will be any type of separation like a counter from the new room to the existing room, Mr. Nagle replied no.

Mr. Vella offered that the resolution could include the following: provide for roof leaders and gutters to direct roof runoff to the well and grass area.

The meeting was open to the public.

John Poletti 407 Highway 71 is the neighbor of the property. He was concerned about the noise level, but he stated Mr. Nagle explained that it would not be increased. Mr. Nagle added that the previous owner had a night club with bands, which is not his intent ever. Mr. Nagle also stated that when he bought the business he invested in landscape buffer.

Mr. Merriken asked about the new windows, Mr. Nagle replied that they would be better than the existing; more sound proof.

On a motion by Mr. Merriken and seconded by Ms. Hayduk the public comment period was closed without objection, roll call taken..

AYES: Mr. Hackett, Ms. Hayduk, Mr. Manger, Mr. Merriken & Chair Eilenberger
NAYS: None
ABSTAIN: None

Mr. Vella explained that if approved there should be a condition about leaders and gutters on the addition to go to the well and grass area.

Motion was made by Mr. Hackett to approve the application with the conditions stated, seconded by Ms. Hayduk, roll call taken:

AYES: Mr. Hackett, Ms. Hayduk, Mr. Merriken, Mr. Manger & Chair Eilenberger
NAYS: None
ABSTAIN: None

Chairman Eilenberger handed out the language the sub-committee wrote up about the B-3 Zone.

Section C # 3 reads as follows:

Professional Offices (not to exceed 50% of total gross floor area within the zone and not to exceed 25% of total first floor area in the zone). Mrs. Eilenberger offered that it should read Professional Offices (not to exceed 62.5 % of total gross floor area of the building and not to exceed 25% of total first floor area of the building). Board members agreed.

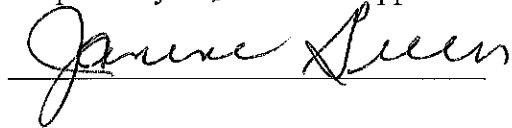
Mrs. Eilenberger also pointed out that the code book under Section 612: Schedule of permitted uses, yard, area and bulk requirements; the top chart does not include the B-3 zone. Mr. May added that he would like the chart to direct you to the exact list of permitted uses.

Mr. May offered that he would contact Mr. Collins about preparing a letter to Mayor and Council about the revisions.

Ms. Hayduk offered information regarding the letter received regarding the property in Spring Lake. The property had a bulk head installed, permits were never applied for and it has been in court for 2 years. The property owner now has to lease the area from the State. The property now is looking for verification from the State if there are any other issues that they are required to take care. We have been notified because we are within 200 feet of the property.

Adjournment: On a motion by Mr. Hackett and seconded by Mr. Merriken, the meeting was adjourned without objection at 7:58 p.m.

Respectfully submitted and approved:


Janice Allen

Date: March 15, 2017