

**BOROUGH OF SPRING LAKE HEIGHTS
REGULAR PLANNING BOARD MINUTES –
April 18, 2018 at 7:00 PM**

Flag Salute

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 website.

Roll Call:

Eileen Eilenberger- Present	Also Present: Marc Leckstein, Board Attorney
Stephen Clark – Present	Brent Papi, Board Engineer
Councilman Diver – Absent	Mary Ellen Karamus, Board Secretary
Roy Francolino - Absent	
James Hackett - Present	
Nancy Hayduk - Present	
Frederic Manger - Present	
Mayor O'Brien - Absent	

Alt. #1 Carlos Santos – Present
Alt. #2 Erik Gardner - Present

Approval of Minutes: Chair Eilenberger asked for two amendments to the February 21, 2018 meeting. Polly Pond should be Polly Pod. Joe Amile's name is misspelt.

February 21, 2018 minutes – Mr. Hackett made a motion to approve the minutes as amended; seconded by Mr. Manger; All in favor; none opposed; Mr. Gardner; abstain

Correspondence and Discussion: February 18, 2018 Correspondence from Nate Novak
March 2, 2018 DEP to The Mill Lakeside Manor
March 20, 2018 Email Correspondence from Mr. McLaughlin re. 101 Old Mill Rd. Block 1 lot 1
April 4, 2018 Email Correspondence from Mr. McLaughlin re. 101 Old Mill Rd. Block 1 Lot 1

Chair Eilenberger reminded the board to complete their Financial Disclosure Statements.

Attorney Leckstein announced that the Mill Application is not on the agenda; the Applicant will be before the Board at the next May 16, 2018 meeting; there will be no further notice.

Old Business: **Resolution No. 2018-05**
Triangle Shopping Center **Application No. 2017-05**
Block 62 Lot 7
2407 Highway 71 Site Plan Waiver

Mr. Leckstein stated that there is an amendment to the Resolution presented to the Board under Number 3 in Conditions, adding the words “including but certainly not limited to the Ordinances of the Borough of Spring Lake Heights”.

On a motion by Mr. Manger, seconded by Mr. Hackett, Resolution 2018-05 was approved as amended; roll call taken as follows:

AYES: Mr. Hackett, Ms. Hayduk, Mr. Manger, Mr. Clark, Mr. Santos, Chair Eilenberger
NAYS: None
ABSTAIN: Mr. Gardner

New Business: Spring Lake Golf Club **Application No. 2018-01**
Block 25 Lots 11, 13 & 27
901 Warren Avenue
Waiver of Site Plan Application

Mr. Leckstein stated that after looking at the application, in his opinion this is more of an administrative approval request than a waiver of site plan application; he stated it consists of technical engineering changes; if the board and Mr. Papi agree, a motion to transform the application into a request for administrative approval could be approved by the board. Mr. Papi agreed. The applicant agreed.

A motion was made by Mr. Manger to transform Application 2018-01 to a request for administrative approval; seconded by Mr. Hackett; roll call taken as follows:

AYES: Mr. Hackett, Ms. Hayduk, Mr. Manger, Mr. Clark, Mr. Santos, Mr. Gardner, Chair Eilenberger
NAYS: None
ABSTAIN:

A motion was made by Mr. Manger approving the request for administrative relief subject to board engineer approval; seconded by Mr. Hackett; roll call taken as follows:

AYES: Mr. Hackett, Ms. Hayduk, Mr. Manger, Mr. Clark, Mr. Santos, Mr. Gardner, Chair Eilenberger
NAYS: None
ABSTAIN:

Mr. Manger commented what a great job the applicant is doing with the site.

Voice of the Public – A motion to open the voice of the public was made by Mr. Manger; Seconded by Mr. Hackett; All in favor; none opposed; no abstentions.

Voice of the Public – A motion to close the voice of the public made by Mr. Hackett; Seconded by Mr. Manger; All in favor; none opposed; no abstentions.

Chair Eilenberger asked Ms. Hayduk if she would like to speak to the board.

Ms. Hayduk stated that when the new Land Use Ordinance was adopted in the fall, the fee for waiver application was \$750. The fee covers the attorney and engineer being present at a meeting, not reviewing. She added that in her opinion, the board should not be reviewing a waiver on a site plan without an engineer review. Ms. Hayduk stated she feels the board should amend the ordinance; send it to Mayor and Council for their approval to include a \$500 escrow fee for engineer review and inspection.

Mr. Leckstein agreed that the engineer should review an application before coming before the board. Mr. Leckstein added that applications vary in time; therefore the current escrow may or may not be sufficient. Mr. Manger suggested \$750 for escrow. Mr. Hackett stated an increase in escrow may negate what the intent of the waiver application was. Mr. Hackett stated these are for site plan adjustments, the engineer should not have to spend 5 hours. Chair Eilenberger stated they may have underestimated the fee. She commented there is still a resolution to be prepared by the attorney and the engineer still needs to review plans. Mr. Papi added that depending on the level of the plan, some will be larger, some will be smaller but an application could involve 5 to 7 hours of time easily. Ms. Hayduk explained that escrow can be replenished if necessary as well as escrow is not always used and is returned to an applicant.

Mr. Manger asked if they have to go through Council to change the Ordinance. Mr. Leckstein stated yes; that is the only way to adopt an ordinance. Mr. Leckstein stated a letter to Mayor and Council by the Chairwoman stating what the board's concerns are and that it is the board's request for them to consider the amendment would be fine.

A motion was made by Ms. Hayduk to present to Council an Ordinance Amendment for 2017-07 at Subsection in the Code at 22-413.3, Item 9 by adding the following: a check for \$750 payable to the Borough of Spring Lake Heights and a \$500 escrow fee for engineer review and inspection. Seconded by Mr. Manger

AYES: Mr. Hackett, Ms. Hayduk, Mr. Manger, Mr. Clark, Mr. Santos, Mr. Gardner, Chair Eilenberger
NAYS: None
ABSTAIN: None

Adjourn: On a motion by Mr. Manger and seconded by Ms. Hayduk, the meeting was adjourned without objection at 7:19 p.m.

Respectfully submitted and approved:

May Elh Kadum

July 10,
Date: 2018