

BOARD OF ADJUSTMENT – MINUTES
December 20, 2018 at 7:30 PM

MEETING CALLED TO ORDER AND SALUTE TO THE FLAG

Roll Call:

Brian Brendle – present
Susan Lalji – present
Donald Nolan – present
Bruce Waitzel – present
Owen Quinn - present
John Tangeman - present
Chairman Pearsall - present

Also Present: Jilian L. McLeer, Board Attorney
Louis Lobosco, Board Engineer
Mary Ellen Karamus, Board Secretary

Alternate #1 – Thomas Martin – absent
Alternate #2 –

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.

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

Approval of Minutes: November 29, 2018 - Motion to approve the minutes was made by Mr. Waitzel; seconded by Mr. Tangeman;

Roll call taken:

AYES: Mr. Brendle; Ms. Lalji; Mr. Nolan; Mr. Waitzel; Mr. Quinn; Mr. Tangeman; Chairman Pearsall

NAYS: None

ABSTAIN:

Correspondence:

Old Business: **Resolution 2018-9**
 Jeremiah & Ann Maloney
 Application No. ZB-2018-06
 809 Prospect Ave.
 Block 30 Lot 5

A motion was made by Mr. Waitzel to approve Resolution 2018-09; seconded by Mr. Tangeman

Roll call taken:

AYES: Mr. Brendle; Ms. Lalji; Mr. Nolan; Mr. Waitzel; Mr. Quinn; Mr. Tangeman; Chairman Pearsall

NAYS: None

ABSTAIN: None

AYES: Mr. Brendle; Ms. Lalji; Mr. Nolan; Mr. Waitzel; Mr. Quinn; Mr. Tangeman;
Chairman Pearsall

NAYS: None

ABSTAIN: None

Resolution 2018-10
Andrea Lucciola,
Application No. ZB-2018-05
1708 Beverly Ave.
Block 56 Lot 6

A motion was made by Mr. Brendle to approve Resolution 2018-10; seconded by Mr. Quinn
Roll call taken:

AYES: Mr. Brendle; Ms. Lalji; Mr. Nolan; Mr. Waitzel; Mr. Quinn; Mr.
Tangeman; Chairman Pearsall

NAYS: None

ABSTAIN: None

New Business: **Anthony Garbini No. ZB-2018-08**
553 Prospect Ave.
Block 38 Lot 33
Construction of an 8 foot open front porch

Mr. Anthony Garbini, 553 Prospect Avenue and Mr. Lobosco were sworn in by Ms. McLeer

A-1 Properties within 200' of Applicant with front yard property line encroachments

Mr. Lobosco stated that there is a correction in his report on the R 5 zoning spreadsheet. Mr. Lobosco told the board this is a corner lot; according to ordinance, there are two fronts; two sides, no back. He stated that under the proposed condition for the accessory building setback on Prospect Avenue is 120 and on the west side it is 18 feet. Mr. Nolan clarified that the hearing is just for a variance for the porch. Mr. Lobosco said yes.

Anthony Garbini introduced himself to the board. Mr. Garbini stated he resides at 553 Prospect Avenue. He and his wife bought the house in 2013; at which time it was in poor shape and was an eyesore to the neighborhood. He stated he and his wife plan on staying in Spring Lake Heights and will raise their family there.

Mr. Garbini stated the he is proposing constructing a basic front porch 42 feet in length which runs the length of the house and coming out 8 feet. He stated the porch will be 25-30 inches off of the ground. Mr. Garbini stated that the house currently is a square shape. He stated a porch will improve the house's appearance. Mr. Garbini stated he and his wife always wanted a porch to enjoy neighbors, family and friends. Mr. Garbini added that 2 out of every 3 houses on the 500 block of Prospect Avenue have a porch. Mr. Garbini referred to A-1 which represents

properties with porches that are close to their property lines. He stated that similar houses are on the 600 block of Prospect and the 500 block of Ocean.

Mr. Garbini said that their porch will be 25 feet from the curb and 15 or 16 feet to the property line on the side street. He added their home, which has new siding and new windows, will match new homes across the railroad tracks in Spring Lake which face his home. Mr. Garbini stated since this is on Railroad Avenue and not on Prospect, line of sight looking down the street will not be effected. He added he could build the porch on Prospect without coming before the board but their front door faces Railroad Avenue. Mr. Garbini stated his house currently sits 25 feet and 23 feet from the property line; 23 feet is the shortest distance towards the back side yard. The proposed front porch is approximately 15 feet 9 inches from the property line at its shortest distance. Mr. Garbini stated he is looking for a variance allowing 6.25 feet on one side and 4.28 on the other side.

Chairman Pearsall asked the width of the porch. Mr. Garbini stated that it would be 8 feet. Mr. Nolan asked if there would be a railing. Mr. Garbini stated it is not in the plans but he would like a 30 inch high railing. Chairman Pearsall asked Mr. Garbini about the existing landing. Mr. Garbini stated it is a concrete landing; 4 feet to the first step, 6 feet wide. Chairman Pearsall confirmed that Mr. Garbini would be going 4 feet beyond that to get to the 8 feet. Mr. Garbini said yes. Mr. Quinn asked if the proposed porch will come out 15.75. Mr. Lobosco said that is on one side; it will be more on Prospect. Chairman Pearsall asked if that is because of the shape of the lot. Mr. Garbini stated yes. Mr. Tangeman asked how it will line up with the walkway. Mr. Garbini said the walkway will be close to the porch; approximately 1½ to 2 feet. Mr. Garbini added that eventually he will take out the walkway.

Chairman Pearsall asked his thoughts on the drywell. Mr. Garbini asked if it is required by law. Chairman Pearsall stated that a recent ordinance has been passed by the Borough. Mr. Lobosco added that the new ordinance states "a water infiltration system for total roof runoff shall be required for all new construction and for roof runoff created by any major additional construction." Mr. Tangeman asked how many square feet the new roof area for the porch is, and is it considered major. Mr. Lobosco stated approximately 250 square feet. Mr. Brendle asked if there is a roof overhang. Mr. Garbini stated yes. Mr. Nolan stated he does not consider this a major renovation. Mr. Quinn asked what happens during heavy rain currently. Mr. Garbini stated he does have roof leaders to keep water from going in the basement. He confirmed the water does not run down the street. Mr. Garbini said he has a plan for the water to drain into his garden to water it. He stated he would do that if that was acceptable to the board instead of a drywell. Mr. Tangeman stated he does not feel this is major construction. Mr. Brendle stated it would be nice to see a drywell for the front porch. Chairman Pearsall asked if Mr. Garbini would be willing to do that. Mr. Garbini asked how big it needs to be. Chairman Pearsall stated the engineer would work with him on that. Mr. Lobosco said he would provide the calculations. Mr. Brendle stated it does not need to be elaborate.

Mr. Quinn asked if people walking by the house walk in the street and walk on sidewalks where there are sidewalks. Mr. Garbini stated that where there are sidewalks, people do not use them. Ms. Lalji stated it is a wide street. Mr. Quinn asked if he would consider putting in a sidewalk. Mr. Garbini stated no and explained it is a sloped area. Chairman Pearsall asked if the slope will be affected by the project; if any grading will be done. Mr. Garbini stated he does not plan on doing any grading

Chairman Pearsall asked if there were any questions or discussions.

Voice of the Public – Opened by Mr. Nolan; seconded by Mr. Quinn

Voice of the Public – Closed by Mr. Brendle; seconded by Mr. Nolan

A motion was made by Mr. Waitzel to approve the plan as drawn with an 8 foot porch with the addition of a drywell system that meets the standards for the roof runoff just to consider from the new porch runoff; seconded by Ms. Lalji

AYES: Mr. Brendle; Ms. Lalji; Mr. Nolan; Mr. Waitzel; Mr. Quinn; Mr. Tangeman; Chairman Pearsall

NAYS: None

ABSTAIN: None

Adjournment On a motion by Mr. Brendle; seconded by Ms. Lalji, the meeting was adjourned without objection at 8:04 p.m.

Submitted And Approved:

May Ella Karamus

Date: January 24, 2019