

BOROUGH OF SPRING LAKE HEIGHTS
BOARD OF ADJUSTMENT RE-ORGANIZATION MEETING MINUTES
January 24, 2019

The meeting was called to order with a salute to the flag and a moment of silence by Chairman Pearsall at 7:25 p.m.

Roll Call:

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

Also Present:

Mark Kitrick, Board Attorney
Louis Lobosco, Board Engineer
Mary Ellen Karamus, Board Secretary

Alternate #1

Thomas Martin – absent (arrived at 7:29 p.m.)

Chairman 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 website.

Correspondence None

Old Business: None

New Business:

Resolution 2019 – 01 Confirming Election of Officers

- Mr. Tangeman made a motion to nominate Dennis Pearsall as Chairman, Mr. Brendle seconded, roll call taken as follows:
AYES: Mr. Brendle, Mr. Nolan, Mr. Quinn, Mr. Tangeman, Mr. Pearsall
NAYS: None
ABSTAIN: None

- Mr. Tangeman made a motion to nominate Brian Brendle as Vice-Chairman, Mr. Quinn seconded; roll call taken as follows:
AYES: Mr. Brendle, Mr. Nolan, Mr. Quinn, Mr. Tangeman, Chairman Pearsall
NAYS: None
ABSTAIN: None

- Mr. Brendle made a motion to nominate John Tangeman as Secretary, Mr. Nolan seconded, roll call taken as follows:
AYES: Mr. Brendle, Mr. Nolan, Mr. Quinn, Mr. Tangeman, Chairman Pearsall
NAYS: None
ABSTAIN: None

Mr. Martin entered the meeting

- Mr. Brendle made a motion to appoint Mary Ellen Karamus as Recording Secretary, Mr. Quinn seconded, roll call taken as follows:
 AYES: Mr. Brendle, Mr. Nolan, Mr. Quinn, Mr. Tangeman, Mr. Martin, Chairman Pearsall
 NAYS: None
 ABSTAIN: None

Resolution 2019 - 02 Appointments of Professionals

- Mr. Quinn made a motion to appoint Mr. Lobosco as Board Engineer, Mr. Martin seconded, roll call taken as follows:
 AYES: Mr. Brendle, Mr. Nolan, Mr. Quinn, Mr. Tangeman, Mr. Martin, Chairman Pearsall
 NAYS: None
 ABSTAIN: None

Chairman Pearsall thanked Mr. Lobosco for his service to the Board of Adjustment throughout the past. Mr. Lobosco thanked the board for his appointment.

Mr. Tangeman asked whether the board appoints Mr. Kitrick or his firm when appointing board attorney. Mr. Kitrick stated the appointment is for Mark Kitrick of the law firm of King, Kitrick, Jackson & McWeeney.

- Mr. Brendle made a motion to appoint Mr. Mark Kitrick as Board Attorney, Mr. Martin seconded, roll call taken as follows:
 AYES: Mr. Brendle, Mr. Nolan, Mr. Quinn, Mr. Tangeman, Mr. Martin, Chairman Pearsall
 NAYS: None
 ABSTAIN: None

Chairman Pearsall thanked Mr. Kitrick for his service to the board. Mr. Kitrick stated that he and Mr. Lobosco were initially appointed in 2004. He thanked the board for their confidence in both he and Mr. Lobosco.

Resolution 2019 – 03 Meeting Dates for 2019

- Motion was made by Mr. Brendle to approve Resolution 2019-03 with the noted dates; Mr. Nolan seconded, roll call taken as follows:
 AYES: Mr. Brendle, Mr. Nolan, Mr. Quinn, Mr. Tangeman, Mr. Martin, Chairman Pearsall
 NAYS: None
 ABSTAIN: None

Resolution 2019- 04 Newspaper Designation

- Motion was made by Mr. Brendle to approve Resolution 2019-04, Mr. Quinn seconded, roll call taken as follows:
 AYES: Mr. Brendle, Mr. Nolan, Mr. Quinn, Mr. Tangeman, Mr. Martin, Chairman Pearsall
 NAYS: None
 ABSTAIN: None

Chairman Pearsall stated that issues before the board that stood out in previous years seem to have been addressed. Mr. Kitrick stated that the uniqueness of the board of adjustment is that under the authority of the board under municipal land use, they can make recommendations to the Governing Body as far as ordinance changes based on what has come before the board in the past year. Mr. Kitrick added that there is nothing specific that is recommended in this resolution. He added if anything comes up in the next year, then the board is able to make a recommendation indicating that something has been brought up to the board of adjustment and can be addressed through ordinances.

- Motion was made by Mr. Brendle to adopt Resolution 2019-01 inclusive of names, Mr. Tangeman seconded, roll call taken as follows:
AYES: Mr. Brendle, Mr. Nolan, Mr. Quinn, Mr. Tangeman, Mr. Martin, Chairman Pearsall
NAYS: None
ABSTAIN: None
- Motion was made by Mr. Brendle to adopt Resolution 2019-02 inclusive of names; seconded by Mr. Quinn, roll call taken as follows:
AYES: Mr. Brendle, Mr. Nolan, Mr. Quinn, Mr. Tangeman, Mr. Martin, Chairman Pearsall
NAYS: None
ABSTAIN: None
- Motion was made by Mr. Brendle to approve Resolution 2019-05, seconded by Mr. Tangeman, roll call taken as follows:
AYES: Mr. Brendle, Mr. Nolan, Mr. Quinn, Mr. Tangeman, Mr. Martin, Chairman Pearsall
NAYS: None
ABSTAIN: None

Adjournment: On a motion by Mr. Brendle and seconded by Mr. Martin the re-organization meeting was adjourned without objection at 7:14 p.m.

Submitted And Approved:


May Ellen Karamus

Date: February 28, 2019

**BOROUGH OF SPRING LAKE HEIGHTS
BOARD OF ADJUSTMENT
MINUTES - REGULAR MEETING**

January 24, 2019 at 7:20 P.M.

MEETING CALLED TO ORDER AND SALUTE TO THE FLAG

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

Also Present: Mark Kitrick, Board Attorney
Louis Lobosco, Board Engineer
Mary Ellen Karamus, Board Secretary

Alternate #1 – Thomas Martin – present

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 20, 2018 - Mr. Tangeman made a motion to approve the minutes; Mr. Brendle seconded; roll call taken as follows:

AYES: Mr. Brendle; Mr. Nolan; Mr. Quinn; Mr. Tangeman; Chairman Pearsall
NAYS: None
ABSTAIN: Mr. Martin

Correspondence:

Mr. Kitrick stated, although there was no correspondence regarding the Tap House, after speaking to the applicant's attorney, they will be on the agenda for February 28. There has been no notice; therefore there is no formal request to carry

Old Business:

Resolution 2019-06
Anthony Garbini
Application No. ZB-2018-08
553 Prospect Ave.
Block 38 Lot 33
Construction of an 8 foot open front porch

Mr. Brendle made a motion to approve Resolution 2019-06; seconded by Mr. Nolan; roll call taken as follows:

AYES: Mr. Brendle; Mr. Nolan; Mr. Quinn; Mr. Tangeman; Chairman Pearsall
NAYS: None
ABSTAIN: Mr. Martin

New Business:

Wayne Teicher
Application No. ZB-2018-07
1225 Holly Place
Block 47 Lot 4
Expand existing garage

Mr. Wayne Teicher, Mr. Paul Lawrence and Mr. Louis Bosco sworn by Mr. Kitrick.

A-1 Photo of house

Mr. Lawrence stated his credentials and 30 years' experience in the architecture field.

Chairman Pearsall asked Mr. Teicher to go over the applicant's plans.

Mr. Lawrence described Mr. Teicher's lot as non-conforming, adjoining a cemetery. Mr. Lawrence added that the existing house is a small, single family residence with a dilapidated one-car detached garage. Mr. Teicher would like to replace the garage with a parking space, shop area and home office. Mr. Lawrence stated that space is tight. The proposed garage would be moved to the north to provide patio space. Chairman Pearsall clarified the location of the house. Mr. Teicher stated that the house is on a dirt road facing the cemetery. Mr. Teicher stated the house is on Holly Place. Mr. Teicher stated that on the aerial map the dirt road is shown as Woodland but it is actually Holly Place. Mr. Teicher stated if the garage faces Holly Place, he feels the house, in addition to his address, will be easier to find. Mr. Lobosco clarified that the dirt road right-of-way is borough property. Mr. Teicher stated that the dirt road is frequently used. Chairman Pearsall asked if the dirt road is plowed by the borough. Mr. Teicher stated that the borough occasionally plows the road when there is snow. Mr. Teicher added that it is dirt and gravel with gullies and it is messy and hard to plow.

Mr. Lawrence stated that the proposed plan includes a garage with two overhead doors; one on the dirt road and one off of Holly Place. The second floor will consist of space for Mr. Teicher's office. Mr. Lawrence stated there would be a 4 foot deep colonnade on the first floor facing the cemetery. Mr. Lawrence added that the foot print on the first floor is 720 square feet of lot coverage with 600 square feet of enclosed space. Mr. Lawrence stated that the design is to keep the scale down and make it look like a garage from all directions. He added that they attempted to keep the building height down with enough head room on the first and second floors. Chairman Pearsall asked what amenities, such as heat or a bathroom would be put in the building. Mr. Teicher stated heat would be put in the garage but there would be no plumbing other than a hose bib. Chairman Pearsall asked what type of business would be upstairs. Mr. Teicher stated it would be an area for him to do paperwork. Mr. Teicher added that he currently uses his dining room in his house and would like more space. Chairman Pearsall stated it seems that the plan is a garage/office and not a garage. Chairman Pearsall stated that additional headroom would be necessary for a second floor office space. Mr. Lawrence stated that changing anything on the lot would require coming before the board. Mr. Lawrence added that most people coming before the board would seek a new house and maximize it. Mr. Lawrence stated that the plan consists of combining variances consisting of two small house aesthetics instead of a large house. Mr. Nolan asked how high the existing house is. Mr. Lawrence stated 25 or 28 feet with a small second floor. Mr. Lawrence added that the proposed building will be similar in height to the house. Mr. Quinn stated he agrees with Chairman Pearsall that the plan is similar to a second house. Chairman Pearsall asked if applicant would knock the garage down and build a new one without a second floor. Mr. Teicher stated that he rather not. Chairman Pearsall asked if applicant thought about putting a second story on the house for office space. Mr. Teicher stated the house is not big enough to do that. Mr. Teicher added that he would still have a rear yard setback problem if he did that.

Chairman Pearsall stated that a garage is for parking vehicles, not to expand living space. Mr. Brendle asked if the definition of garage has recently been changed. Mr. Tangeman stated it is required that a vehicle has to be able to get into the garage. Mr. Martin stated it needs a garage door as well. Mr. Teicher stated he does want to get a car into it. Mr. Brendle stated the definition of garage states there has to be a driveway to it as well. Mr. Teicher stated there is a

driveway to one door. Chairman Pearsall stated the proposed plan has two doors. Mr. Teicher stated one is for a car and one is for equipment. Mr. Tangeman stated that the use changes by putting on a top and creating living space.

Chairman Pearsall asked if there was anything else from the board. Mr. Lobosco stated the new ordinance allows 720 square feet. Mr. Tangeman asked the square footage of the proposed garage. Mr. Lawrence stated 720. Mr. Lobosco stated a variance is still needed for 5%.

Mr. Nolan asked where the mechanicals for heat would be. Mr. Teicher stated it would be a wall hung unit. Mr. Nolan asked if he has gas. Mr. Teicher said yes.

Chairman Pearsall asked if applicant had an alternate plan. Mr. Teicher stated if the board does not approve of the proposed plan, he would have to lower the height to conform. Mr. Teicher added that he still wants the garage even without the extra space upstairs. Mr. Nolan asked if he could put extra space on the first floor of the garage for an office. Mr. Teicher stated if he had to he could. Mr. Lawrence stated the variance for 5% would still be needed. Mr. Brendle stated that the height variance would not be needed so they would be getting rid of one variance. Mr. Teicher stated that he wanted the house and garage to be conforming to each other when expanding the garage. Mr. Teicher added that by lowering the height he feels that wouldn't happen.

Chairman Pearsall asked if applicant would like to take a break.

A five minute recess was taken.

Mr. Lawrence asked if the height is dropped down to 15 feet maximum; 720 square feet maximum footprint, if that would be acceptable to the board. Mr. Lawrence added that he will redesign the building and the look will be different. Mr. Lawrence asked if applicant needs to come back to the board. Mr. Kitrick stated that if there is a new plan, they would have to come back. Chairman Pearsall stated he agrees. Mr. Kitrick added there is no need for a new notice; the application would be carried to the next meeting.

Chairman Pearsall asked for clarification on what applicant was going to do. Mr. Lawrence stated they will drop the height of the garage; they will probably get rid of the shed dormer facing the cemetery, as well as the colonnade. Mr. Lawrence added that it will probably still be a gabled structure to look like the house. Chairman Pearsall asked if there will still be an office space on the first floor; and if so, what does the board feel about that. Mr. Brendle stated that would be up to Mr. Teicher. Chairman Pearsall clarified that there would be heat, but no running water. Mr. Brendle stated heat is important for storage. Mr. Teicher stated that is why he needs heat. Mr. Lobosco read the ordinance regarding garages. Chairman Pearsall stated drywells are now a requirement of the town. Mr. Teicher stated if it is a requirement, he will do that.

Chairman Pearsall asked if there were further questions from the board.

Chairman Pearsall asked if the public would like to question the applicant or Mr. Lawrence.

Voice of the Public – Opened - Motion by Mr. Brendle; Mr. Tangeman seconded;
All in favor; none opposed, none abstain

Voice of the Public – Closed - Motion by Mr. Brendle; Mr. Quinn seconded;
All in favor; none opposed, none abstain

Chairman Pearsall asked if the public would like to comment on the application.

Voice of the Public – Opened - Motion by Mr. Brendle; Mr. Tangeman seconded;
All in favor; none opposed, none abstain

Voice of the Public – Closed - Motion by Mr. Brendle; Mr. Quinn seconded
All in favor; none opposed, none abstain

Mr. Nolan made a motion to postpone voting on the application until new architectural renderings at a 15 foot height with drywells are received; Mr. Tangeman seconded; roll call taken as follows:

AYES: Mr. Brendle; Mr. Nolan; Mr. Quinn; Mr. Tangeman; Mr. Martin;
Chairman Pearsall
NAYS: None
ABSTAIN: None

Mr. Kitrick announced that if anyone is present for the application; the application will be carried to February 28, 2019 with no further notice.

Adjournment: On a motion by Mr. Brendle seconded by Mr. Nolan, the meeting was adjourned without objection at 7:55 p.m.

Submitted And Approved:

May Elle Karamus

Date: February 28, 2019