

BOROUGH OF SPRING LAKE HEIGHTS PLANNING BOARD

Minutes

March 16, 2022

Meeting Commences at 7:00 PM

Announcement:

THIS MEETING IS CALLED PURSUANT TO THE PROVISIONS OF THE OPEN PUBLIC MEETINGS ACT, CHAPTER 231, PUBLIC LAW 1975. ADEQUATE NOTICE HAS BEEN PROVIDED TO THE COAST STAR AND THE ASBURY PARK PRESS POSTED ON THE BULLETIN BOARD IN THE MUNICIPAL BUILDING AND THE BOROUGH WEB-SITE. NOTICES ARE ON FILE WITH THE BOARD SECRETARY. OFFICIAL ACTION MAY BE TAKEN ON THE MATTERS LISTED.

A. Flag Salute

B. Roll Call

Board Members present: Chair Eileen Eilenberger, Councilman Chris Wilms, Bruce Waitzel, Adam Anzzolin, Brian Brendle, Nancy Maclearie, Dennis Pearsall

Board Members absent: Mayor Campion, Roy Francolino, Elizabeth Stader, Joseph Tompey, Thomas Martin

Board Professionals present: Mark Kitrick, Esq, Lou LoBosco, PE, Christine Bell, PP
Barbara Van Wagner, Secretary

C. Approval of Minutes: Meeting of January 12, 2022

Motion to approve: Brian Brendle

Seconded by: Councilman Chris Willms

In Favor: Bruce Waitzel, Brian Brendle, Councilman Chris Willms, Adam Anzzolin, Chair Eileen Eilenberger

Opposed: None

D. New Business:

Referral from Borough Council for Discussion and vote - Ordinance #2022-03 – Amending Chapter 22, adding *22-653-Electric Vehicle Supply/Service and Parking Spaces*

Christine Bell, Board Planner discussed the Proposed Ordinance and stated that it is consistent with the Spring Lake Heights Master Plan and meets the goals of Municipal Land Use Law. This Ordinance was directed by the State to be adopted by every Municipality.

Mark Kitrick stated that he prepared a Resolution. The Board was tasked with determining whether the Ordinance is consistent with the Master Plan. The Resolution will be sent to the Mayor and Council for a second reading and public hearing for the next meeting.

Planning Board Resolution #2022-10

Motion to approve Resolution: Nancy Maclearie

Seconded by: Chair Eileen Eilenberger

In Favor: Adam Anzollin, Dennis Pearsall, Nancy Maclearie, Brian Brendle, Bruce Waitzel, Chair Eileen Eilenberger

Opposed: None

E. Applications:

1. Application #2021-06 (CARRIED TO MAY 11, 2022)

800 Highway 71, LLC

800 Highway 71, block 69 lots 15 & 17, B2 Zone

Preliminary and Final Site Plan and Bulk Variance for renovations to existing commercial Structure and parking lot for restaurant use.

2. Application # 2022-01

551 Sussex Ave, LLC

551 Sussex Avenue, block 78 lot 3, R5 Zone

Minor subdivision with bulk variances to create two residential lots

Tennent Magee, Esq. for the applicant (for Mike Rubino) gave overview of the application- stated that applying for a minor subdivision for two single family structures on an oversized lot. It is currently non-conforming with an accessory structure with a kitchen and bathroom. Want to create two conforming size lots with two variances for driveway setback for one lot that has less than the required two foot setback.

Exhibit A-1-Two renderings.

A-2 – Aerial photograph

A-3- Architect Plan date 8/16/21

A-4- Development Plan dated 3/3/22

Bill Connellan-of Asprey Martin owner

Paul Grabowski – Architect

Joe Kociuba – Engineer

Connellan- has already built five houses on Sussex, familiar with this neighborhood. The proposed homes are more front loaded to allow for more yard area. Exhibit A-2 shows what exists – front house and a detached small rear house – looks like it was used for a Vet grooming business. Also two sheds. The primary structure – concept design proposed – is consistent with the neighborhood – 50 x 150 lots

Originally proposed with rear garages but want more yard area with less impervious coverage. Its not an easy sell next to the railroad tracks. The only variance requesting is the lot frontage on the eastern lot

Exhibit A-3 – eastern lot 3.01 – proposes 48.28 foot width, irregular lot. The lot width goes to 50 feet wide where the house is located. Two trees are an issue on eastern lot- pulling up the sidewalk. Will replace with something else. The other lot will comply with zoning.

Dennis – who owns the trees by the sidewalk?

Connellan- by the property line – proposing sidewalks and curbs. The trees are pulling up the sidewalk, will replace trees on the other side

Exhibit A-4 – shows variance for one foot for driveway buffer, but it is no longer needed. The driveway will be in front of the garage.

Eileen – the width at the front of the lot is 48 feet but most of the lot is 50 feet wide

Brian- if it met the lot width, you could just build

Paul Grabowski, Architect – Virtuosi Architecture – 25 years experience as an architect, registered as license architect.

Eileen – yes, qualified as an expert

Grabowski- (discussed the design intent) designed an attached garage for more yard area, left side house will have a two car garage and a front porch. 2738 square foot home. Right side house will be 2531 square foot home, with an attached garage, will have less coverage than allowed for the zone. This is a conceptual design for these homes, could be modifications but will meet the zoning requirements.

Dennis – will the house on the left have buffering from the railroad?

Grabowski – have not plans, but will have some sound insulation inside the walls of the home

Dennis – will there be landscaping, fence, vegetation

Public Questions for Paul Grabowski - NONE

Connellan – will have permanent greenery as a buffer on the railroad side with some sort of evergreens, or arborvitae. There is a minimum amount of windows on the east side of the home.

Joseph Kociuba, licensed engineer and planner for 16 years.

Eileen- qualified him as an expert witness

Kociuba- (described details of the lots) was originally two lots in the 1950s, was consolidated in 1988 tax map. Located in the R5 Zone with minimum 7,500 square foot min. lot size. One new lot will have 48.28 foot lot frontage where 50 feet is required. There are multiple structures on the existing lot, non-conforming use now. There are two dwellings on one lot. Propose to demo all structures and subdivide into two lots and eliminate the non-conforming use. The western lot will be conforming. The eastern lot is oversized but is irregular. Lou- need some clarity on the trees – what kind are proposed? Will there be a single row of arborvitae on the railroad side? Will you be removing the existing two trees and replace with other trees, will you be replacing the sidewalk?

Kociuba – will be replacing sidewalks. The house location requires no variances. Regarding drainage- will drain to rear and to the east with swales by the railroad. Will have two dry wells on each lot and will include all the drain leaders and will ordinance compliant. Will submit plot plans. The proposed project will have no negative impact on the neighborhood. 50 foot lot with homes is typical to the neighborhood. The 48.28 foot width for lot next to railroad is not a detriment, it is a de minimis variance and meets the C1 & C2 criteria
C1 - For the shape of the lot and being next to the railroad, it limits the development

C2- for better planning, promoting the purpose of planning and advance the zoning ordinance

This eliminates a non-conformity and brings the property more into conformity of the zone plan

No substantial impact to the public. Lots will be the same as most lots except one lot and the Fire

Department. Fully conforming and appropriate to the area. Will comply with parking requirement.

Complies with all zoning except one – the frontage of one lot, can't remedy because next to the railroad.

Everything else is in compliance, except for the 1.72 foot for variance for the frontage of one lot

Christine – agree, the variance requested is de minimis in nature and a better planning alternative

Eileen – any further questions on reports?

Lou- they got rid of the one variance for the driveway setback and they will comply with the dry well requirements. May need one street tree in front

Nancy- beautiful, looks good, house has double garage

Adam – lot 3.01, has two car garage, does the dry well need a setback?

Lou- no setback requirement but should be 10 feet from the house

Adam – dry well in back, will they be able to fit a pool?

Public Questions for Joseph Kociuba – NONE

Public Comments: Paul Fulton, 550 Sussex. Nice subdivision, the drainage on south comes from 6th Avenue.

There is a swale by railroad and at curb line

Lou- everything drains to the railroad ditch

Kociuba – drainage will not impact swale

Mark – reviewed the variances for minor subdivision – variance for frontage on one lot.

Conditions: add a line of trees for evergreen buffer along railroad – (Arborvites, Leland Cypress)

When applicant applies for road opening permit and permit for driveway, will identify the tree being removed and the type and caliper of the replacement trees

Motion to approve minor subdivision with the one variance and conditions: Brian Brendle

Seconded by: Chris Willms

In Favor: Councilman Willms, Adam Anzoli, Dennis Pearsall, Nancy Maclearie, Brian Brendle, Bruce Waitzel,
Chair Eileen Eilenberger

Opposed: NONE

Application approved

F. Resolutions:

Resolution #2022-09 – Kristin Gillies, 615 A Essex Avenue, block 72 lot 19

Motion to approve: Brian Brendle Seconded by: Councilman Chris Willms

In Favor: Adam Anzollin, Brian Brendle, Bruce Waitzel, Councilman Chris Willms, Chair Eileen Eilenberger

Opposed: None

Eileen – reminded Board members to take the copies of the Revised Ordinances to replace in their books

Motion to Adjourn: Brian Brendle Seconded by: Councilman Chris Willms

All Members vote in favor to adjourn

Meeting Adjourns at: 8:05