

**BOROUGH OF SPRING LAKE HEIGHTS LAND USE BOARD**

**Minutes**

**January 18, 2023**

**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, Bruce Waitzel, Nancy Maclearie, Dennis Pearsall, Tom Martin, Michael Milano

**Board Members absent:** Elizabeth Stader, Joseph Tompey, Mayor Campion, Brian Brendle, Councilman Chris Willms, Adam Anzzolin, Roy Francolino

**Board Professionals present:** Mark Kitrick, Esq, Lou Lobosco, PE, Barbara Van Wagner, Secy.

**C. Resolution #2023-07**

Application #2022-13 – Helen Motzenbecker-2014 Highway 71, block 59, lot 39

Motion to approve: Tom Martin                      Seconded by: Chair Eileen Eilenberger

In Favor: Dennis Pearsall, Tom Martin, Bruce Waitzel, Chair Eileen Eilenberger

**D. Application #2023-01 - Joseph Fortney, 410 8<sup>th</sup> Avenue, block 34, lot 18, R3 Zone**

Bulk Variance for required 5 foot setback for air conditioning unit

Joseph Fortney, Lou and Christine sworn in

Fortney- July 2022 AC broke and was replaced in the same spot, smaller and more efficient. Barbara explained that it needed a 5 foot clearance to the property line. Based on the property, can't have a 5 foot setback.

There are other houses in the area with ACs on the side. Only option is to move to the rear, 35 feet and would cost \$3,500-\$4,000 to move the unit, we have 2 AC units next to each other.

Eileen- in 2017 the ordinance was changed to require the 5 foot setback. If property doesn't have a 10 side setback area to the building, then the unit needs to be in the rear.

Mark – there are two units there?

Fortney- yes, on the south side, one unit was replaced

Eileen- the new unit would need to comply with the setback requirement

Dennis- is there a neighbor on the south side?

Fortney – yes

Eileen- The AC needs to be screened if approved

Fortney – will put up fencing

Lou- what kind of fencing? What type of lattice? How high?

Eileen- vinyl lattice

Dennis- its shielded by some hedges, there is something on the front

Mark – the applicant has agreed to put up vinyl lattice fence

Lou- how high? At least the height of the unit

Fortney- no problem

Eileen- have the option to either move it or grant a variance

Mark – it is a violation of the sideyard setback, only has 4.5 feet of setback to the building and would need 10 feet of setback to put it there. That is two bulk variances



