

BOROUGH OF SPRING LAKE HEIGHTS LAND USE BOARD

Minutes

June 21, 2023

Meeting Commences at 7:00 PM

Announcement Made by Secretary:

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, Councilwoman Sara King, Michael Milano, Nancy Maclearie, Councilman Chris Willms, Bruce Waitzel, Brian Brendle, Joseph Tompey, Dennis Pearsall, Adam Anzzolin

Board Members absent: Elizabeth Stader, Roy Francolino, Tom Martin

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

C. Minutes: Meeting of May 17, 2023

Motion: Nancy Maclearie Seconded by: Councilwoman King

In Favor: Michael Milano, Chair Eileen Eilenberger, Councilwoman Sara King, Nancy Maclearie

Opposed: None

D. Resolution:

Resolution 2023-17 – Frank and Dina Sciacco

613 Mercer Avenue, block 69, lot 7 - Application #2023

Bulk variances for second floor addition and front staircase for existing single family home

Motion to approve: Chairperson Eileen Eilenberger Seconded by: Councilwoman Sara King

Voted in favor: Chair Eilenberger, Councilwoman King,

E. Old Business:

564 Monmouth Avenue, LLC

564 Monmouth Avenue, block 77 lot 1

Request for an extension of the 190 day time requirement to file and record the Deed pursuant to the Map Filing Law, for an approved subdivision.

Mark – Not uncommon under Municipal Land Use Law to ask for an additional year extension.

Motion to approve: Chair Eileen Eilenberger Seconded by: Brian Brendle

Voted in Favor: Chair Eileen Eilenberger, Councilwoman Sara King, Michael Milano,

Nancy Maclearie, Councilman Chris Willms, Bruce Waitzel, Brian Brendle, Dennis Pearsall,

Adam Anzzolin

Opposed: None

F. Applications:

1. Application # 2023-07 Kelly and Christine Dencker

808 Greenwood Drive, block 80, lot 42, R4 Zone

Bulk variances to construct a new single family home with a detached garage, covered front porch, covered patio with a new driveway and front entrance walk.

Lou – The porch on an existing house can be set back 22 feet and a new house the porch setback needs to be 30 feet.

Eileen – since this is new construction, have to start at the edge of the house.

Mark – the ordinance relates to an existing structure, this house is being demolished

Mark swears in: Kelly Dencker, Christine Dencker, Tom Peterson, applicant's architect,

Sam Avakian, Board Planner and Lou Lobosco, Board Engineer

K. Dencker- lived here for 50 years in Spring Lake and Spring Lake Heights, currently this is a 3 bedroom and want to retire here and keep the house in the family, asking for the house to line up with the other homes

Exhibit A-1 – four photos and aerial

Tom Peterson, architect, licensed for 42 years, Professional Planner/Engineer for 37 years – stated that the building is being demolished and building a new home, currently a single family (reviewed the photos Ex. A1)

The lot is 60 feet wide, conforms to lot width, depth and area, need front yard setback. The average setback in the neighborhood is 25 feet and wants to construct a new home that lines up with the houses on the block and isn't out of place. It will be a two story, with a sitting area, home office, bathrooms, storage, mudroom, kitchen, family room on the first floor and laundry and four bedrooms on the second floor.

Sam – they currently have three bedrooms

Peterson- propose a covered patio in the rear and covered stoop in the front

Soils were tested, above the seasonal high water and will have an open basement and a detached one car garage which complies with setbacks and coverage

Eileen – is the attic usable space?

Peterson- no, have an attic with pull down stairs for mechanicals, not high enough to stand, not living space, stairs don't connect to the attic area

Sam – is there a dry well on the site?

Peterson – currently no storm water management, will include the patio. Not including the front porch – its too difficult to get to the back. Important visual element, don't want to clutter with downspouts.

Sam- currently other homes don't have covered front stoops. Not only asking for forgiveness for setback but also to not include in the dry well. They need to explain a reason for the hardship

Peterson- want the front setback at 25 feet to the front bump out, the mass of the house is at 26 feet. Wanted some interest so have a different setback. Want to keep with the setbacks on the street, will be covered porch but be open with no sides. It doesn't block anyone's views or effect their air or light, it is not objectionable. House now is fair – new home will be an upgrade with new energy codes, comply with codes
If setback the additional 5 feet, it would look awkward

Eileen – what is the difference with the porch on?

Peterson – the porch is 4.5 feet – and the bump out is 1 foot

Sam- are ways to get around the variances, the other houses don't have covered stoops, Board needs to determine the hardship

Peterson – it is a soft C variance, no harm, no foul

Mark – it is C2 variance

Peterson – could comply but think this is a better proposal. Most other homes are established

Eileen – most give a 22 foot setback

Dennis – the way proposed is the same as existing?

Peterson – the existing setback is 26 feet and proposing 25 feet

Dennis – even with the bump out, its lining up with the neighbors

Peterson- important for style of home to have the one foot bump out by the front window. If constructed, no one will drive by and thinks this is not in line

Mark- based on the testimony from Mr. Peterson, this is a C2 Variance, not saying a hardship as a C1. The C2 relates to a specific properties and granted without detriment to the Zoning Ordinances or Master Plan

Eileen – what is the size of the stoop?

Peterson – 3 foot by 5 foot, need a landing outside the home

Eileen – what is the driveway width, 10 feet and meets 2 foot side setback?

Peterson – yes

Eileen – where is the AC?

Peterson – the AC is in the back and will meet the setbacks

Eileen- will it have a pad?

Peterson – yes, it is included in the coverage

Eileen – a sidewalk on the side?

Peterson – walkway from the driveway to the front door and garage will have a stoop

Eileen – is everything on the property going?

Peterson – yes

Lou – they are building to the maximum building coverage, wouldn't be able to even add a shed

Eileen – the garage height is 15 feet high?

Lou- was measured from the curb?

Peterson – yes

Nancy – it's a beautiful house and beautiful plan. The average home is setback is 26.64 feet now and they want 25 feet. Everyone has between 25 to 26 foot setback

Peterson – if average it, its about 24 feet

Lou – what is it from the curb? Property line is approximately 10 feet from the curb

Dennis – storm water run off only. How much will be filtered into the system?

Peterson – the total is 1725 square feet – 60 square feet not going in, over 95% is going into the system, which is an improvement. Will include the entire home, garage and patio

Nancy – what is the front porch floor made of?

Peterson – masonry with wood frame

Nancy- concerned with the owner, might benefit to have the gutters, they serve a purpose

Peterson – will now include the front porch, engineer will recalculate and submit

Adam – porch is 27.5 feet, more than average on the block of 25 feet

Public Questions – None

Eileen – requires two variances – front setback for porch and front setback for house.

Sam – could push it back with a full front porch but they say its more aesthetically pleasing

Board Questions – None

Public Comments:

Anna Kuntz – 2005 Parkview Terrace - important to have a covered porch, aesthetically pleasing and lines up with the neighbors, this is appealing

Kelly Dencker, 808 Greenwood – love the design, aesthetically pleasing, nice to see different ideas. Another nice pretty house, think this is an improvement

Sam – Board wants consistency, if push it back, don't need a variance. Received positive feedback from the neighbors

Eileen – the setback to the front porch will be 21 feet and 25 feet to the front of house – not separating

Mark – porch will not be enclosed

Peterson – porch will be 22 feet

Eileen – consistent with what we give others

Nancy – motion to approve – 22 feet to open front porch and 25 feet to the house

Dennis – yes – looks wonderful

Nancy – yes, consistent with the neighborhood and will look great

Brian – yes, beautiful proposal

Bruce- yes, no downside

Eileen – yes, like the design

Motion to approve: Nancy Maclearie

Seconded by: Bruce Waitzel

Voted in Favor: Chair Eileen Eilenberger, Councilwoman Sara King, Michael Milano,

Nancy Maclearie, Councilman Chris Willms, Bruce Waitzel, Brian Brendle, Dennis Pearsall,

Adam Anzzolin

2. Application # 2023-05 John Seniszyn

817 Ocean Road, block 13 Lot 301, R3 Zone

Bulk variances to construct a two story addition, new front porch and two rear open stoops to an existing single family home.

Mark – Dennis is stepping down as Board member because he lives within 200 feet of the applicant but will participate as a resident and can hear the application

Michael Rubino, Esq – attorney for the applicant

Exhibits:

A-1 – Picture Board – 17 photos

A-2 – Variance Plan – dated 2/20/23

A-3 – Page A1 of Architectural Plan

A-4 – page A3 of Architectural Plan

Rubino – explains photos in Exhibit A-1

Mark – swears in: Sam, Lou, Andrew Mattessich, Samantha & John Seniszyn

Rubino – applicant wants to add one story in the front and a two story addition in the rear. The house sits 25.1 feet from the front. The house has 4.6 feet on side and wants to match with the addition. Sideyards are 4.6 feet on the east side and 4.7 feet on the west side and rear of 8.07 feet where 10 feet is required. The building coverage is 23.8% where 25% is required. Lot is undersized with 7,499 square feet where 9,000 square feet is required. A 75 foot lot width is required and they have 50 feet.

The house to the east is 6.9 feet to the property line and the house to the west is 7.3 feet.

John Seniszyn – parents lived in SLH for 35 years. He has a wife and a two year old, living in a rental now and want to live here permanently. House is currently 1 ½ story high. Front second floor – two bedrooms, full bath, master bedroom in the back and laundry room. First floor front – guest room and study and dining room, kitchen, and great room in the rear. Don't want to move foundation back, want to maintain existing side yard

setback. If it was back, it would look odd. Other neighbors have similar setback. 230 square foot addition for additional guest bedroom.

J. Seniszyn- shed is gone

Lou- driveway has non-conformity – built to the property line

Eileen – it accommodates two cars

Nancy – side by side

Eileen – should there be a separate variance for the different setbacks? Variances for each setback

Rubino – the side to the west is 7.5 feet and 8.07 to the east

Lou – asking for variance for existing because the addition goes straight up

J. Seniszyn- The AC is between the two staircases in the rear wood deck and will be conforming

Rubino – the water infiltration system will be submitted to Lou. It will be a two story structure with no garage

Public Questions – None

Board Comments:

Nancy – another beautiful home

Adam – describe the floor plan and explain why the setbacks can't be met

J.Seniszyn – the ground floor will have an office in the front and great room in the rear, the kitchen will be 19.5 by 14 feet. If chop back, it would be T-shaped. Think this looks better.

Sam – C1 and C2 variances – provide testimony why can't shrink 2.5 feet, its not a hardship

Rubino – look at hardship for existing home. The lot is 50 feet wide and conforming is 75 feet, which meets the hardship criteria

Sam – The front is the C1 and the rear is C2 – the benefits outweigh the detriments

J.Seniszyn- inherent charm in the neighborhood, don't want to make it look like its been added, want to keep the same charm

Lou – for clarity – giving the variances to match the existing home. The front will have a setback of 25.1 feet, east side – 4.6 feet for existing and 8.7 for addition, side west – 4.7 feet for existing and 7.58 feet for addition, with 23.8% building coverage – not asking for variance for coverage

Councilman Wilms – motion to approve with variances

Chair Eilenberger – second

Mike – yes with variances

Willms – yes, great addition

Nancy – yes, great addition

Brian – yes, good plan, fits neighborhood

Bruce- yes, it will be an improvement to the neighborhood

Chair Eilenberger – yes, nice design on an undersized lot

Motion to approve: Councilman Chris Willms Seconded by: Chair Eileen Eilenberger

Voted in Favor: Chair Eileen Eilenberger, Councilwoman Sara King, Michael Milano,
Nancy Maclearie, Councilman Chris Willms, Bruce Waitzel, Brian Brendle, Joseph Tompey,
Adam Anzzolin

Motion to adjourn: Joseph Tompey

Seconded by: Brian Brendle

Voted in favor to adjourn: Chair Eileen Eilenberger, Councilwoman Sara King, Michael Milano,
Nancy Maclearie, Councilman Chris Willms, Bruce Waitzel, Brian Brendle, Joseph Tompey,
Adam Anzzolin

Meeting adjourned at 8:38 PM