

BOROUGH OF SPRING LAKE HEIGHTS LAND USE BOARD

Minutes

November 8, 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, Nancy Maclearie, Adam Anzzolin, Councilwoman Sara King, Dennis Pearsall, Brian Brendle, Roy Francolino

Board Members absent: Elizabeth Stader, Councilman Chris Willms, Tom Martin, Bruce Waitzel, Michael Milano, Joseph Tompey

Board Professionals present: Michael Schaller, Esq. , Jennifer Beahm, Planner (via phone) Barbara Van Wagner, Secy.

C. Application:

Application #2023- 15 - Kevin Beyer

CARRIED TO DECEMBER 13, 2023

604 Shore Road, block 18 lot 116, Zone R-5

Bulk Variances for setback and building coverage for a new 96 square foot shed for existing single family home

D. Resolution:

Resolution #2023-22 – Borough of Spring Lake Heights Ordinance 2023-08

2019 Highway 71 block 46.01 lots 5 & 7 – An Ordinance creating the Affordable Housing AH-2 Zoning District in Furtherance of the Borough’s Obligation to provide for its Fair Share of Affordable Housing

(Councilwoman Sara King sat in the audience)

Eileen – discussed several corrections and typos in the proposed ordinance (which are noted on the copy and to be given to the Borough Clerk to correct)

Nancy – regarding the Affordable Housing, how did we bargain with a height of 38 feet and an egress/ingress of 40 feet wide on Highway 71

Eileen- need to read the bulk requirements, but it is unclear. Need to read the uses definition in the B3 Zone

Nancy – discussed the loading and unloading and the access driveway. #f- does not conform to the Master Plan with 3 ½ stories. A 40 foot wide lot is ridiculous.

Eileen – F is a mixed use

Brian – the F part doesn’t belong there

Nancy – with the Motzenbacher application, we had a plan and drawing. We need to be more educated on this. Made a motion for Planner to come explain to the Board.

No second

Brian – concerned with a 40 foot frontage

Eileen – the Court case was decided

Jennifer Beahm, Borough Planner – spoke to the Board via speaker phone, discussing the Resolution
Jennifer stated that the Settlement Agreement was reached in Court 3 months ago. The Board's vote on
the Resolution is whether it is consistent with the Master Plan.

Jennifer- Judge Jones entered into Settlement Agreement. It has been determined that this is consistent with
the Master Plan and will further the Borough's Affordable Housing. This zone will be different from other
zones. Uses and requirements are specific to this zone. Under a deadline to get this done.

Nancy – there are no maps

Jennifer – they were not needed, no obligation to be done

Brian- mixed use issue and issue with the minimum lot frontage of 40 feet with a 7 ½ foot setback with a 20
foot driveway. Leaves 13 feet to build. There will be one project on the lot

Jennifer – section F, singles it out. Found that it is consistent with the Master Pla. It will be at a public hearing
at the Council meeting

Nancy – do not think it is consistent with the Master Plan

Jennifer – if the Board has questions, can let the Governing Board know, the wording of the ordinance is the
Governing Body's decision, not the Planning Board. The Settlement Agreement was decided 3 months ago
and determined it was consistent with the Master Plan.

Brian – have to provide Affordable Housing so it is consistent with the Master Plan.

Brian – make a motion to approve the Ordinance with the typo corrections. Motion to approve
Resolution #2023-10 – Affordable Housing is consistent with the Master Plan based on the determination of
the Borough Planner.

Bruce - second

Nancy – no, narrow and not adequate egress/ingress

Adam- yes

Dennis – yes, as explained by Jennifer that it is consistent with the Master Plan and the zone is unlike others

Roy- yes

Bruce – yes

Brian – yes

Eileen – yes, based on report and explanation of the Borough Planner

Motion to approve: Brian Brendle

Seconded by: Dennis Pearsall

Voted in Favor to approve: Chair Eileen Eilenberger, Adam Anzzolin, Dennis Pearsall, Brian Brendle,
Roy Francolino

Opposed: Nancy Maclearie

Resolution #2023-10 approved

Motion to adjourn: Brian Brendle

Seconded by: Dennis Pearsall

Voted in favor to adjourn: Chair Eileen Eilenberger, Nancy Maclearie, Adam Anzzolin,
Councilwoman Sara King, Dennis Pearsall, Brian Brendle, Roy Francolino

Meeting adjourned at 7:46 PM