

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

**Minutes**

**February 19, 2025**

**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 King, Michael Milano, Brian Brendle, Adam Anzzolin, Dennis Pearsall, Joseph Layton

**Board Members absent:** Nancy Maclearie, Roy Francolino, Councilwoman Degnan-Spang, Tom Martin, Anna Kuntz

**Board Professionals present:** Mark Kitrick Esq. , Gerald Freda, PE, Christine Bell, PP  
Barbara Van Wagner, Secy.

**A. Minutes: Meeting of January 8, 2025**

Motion to approve: Brian Brendle      Seconded by: Dennis Pearsall

Voted in favor: Brian Brendle, Dennis Pearsall, Councilwoman King, Adam Anzollin, Michael Milano, Joseph Layton, Chair Eileen Eilenberger

**B. Discussion:**

1. Review of proposed Ordinance No. 2025-03, Amending Ordinance Governing Sidewalk Construction Requirements with Board recommendation forwarded to Borough Council for approval.

Christine- the revised ordinance is not inconsistent with the Master Plan. Nothing specifically addresses it in the Master Plan. The proposed ordinance promotes multi model travel with sidewalks and encourages a safe route to school and promotes walking. The payment is for future sidewalk construction.

Dennis – is this for new houses?

Christine- the ordinance requires sidewalks if putting in specific amount of construction

Dennis- if a new house and no other sidewalks, is it assessed a specific amount into the fund?

Brian- specific dollar amount, need to review the amount constantly

Eileen – eliminated that, wanted to keep to a specific amount

Dennis- can add that it be reviewed every 3-5 years

Mark – it was found to be consistent with the Master Plan

Eileen- can make a suggestion, but difficult to introduce to make a change. This was introduced last night, but can put in a recommendation

Brian – can say to be determined for labor costs

Sara- we changed it, had a situation and wanted to know how much to put in the sidewalk or into the fund. Had conversations with Borough Engineer and Barbara and it was decided the way it was written was too complicated and wanted it changed. It was an average amount determined by the engineer.

Mark – review every 2 years, subject to modifications

Eileen – There is also a change to the Board's rules and regulations based on previous meeting, changed meeting dates and time and put limitations – "no new testimony after 9:30 pm and the meeting will not

extend past 10:00 pm. The Board shall not hear an application if the applicant or the applicant's professional is not present to start the application at the scheduled time for the presentation.

Mark – can place in the opening statement and be consistent with all applications

Eileen – Sara and I working on final ordinance changes. Changed some definitions for service stations and garages. Section 502 needs to be changed for sheds and accessory structures, recommend 200 square feet if there is no garage and 600 square feet for a garage and only one garage either attached or unattached

Brian – so one shed and one garage

Dennis – what about air conditioner replacements

Jerry – its not for maintenance of an AC, the 5 foot setback is required for replacement

2. The Board reviewed revised Rule 1:3 Meetings: 1:3-1 Regular Meetings and 1:3-6: Time Limitations and Rule 5:2 Amendments.

Eileen – we added a time limit to when testimony ends and also if the applicant or their professionals are not present, then they need to reschedule.

3. **Resolution:**

**Resolution 2025-07 Board Referral to Borough Council for proposed Ordinance No.2025-03, Amending Ordinance Governing Sidewalk Construction Requirements**

Motion: Brian Brendle      Seconded by: Chair Eilenberger

In Favor: Chair Eileen Eilenberger, Councilwoman King, Michael Milano, Brian Brendle, Adam Anzzolin, Dennis Pearsall, Joseph Layton

4. **Applications:**

**Carried to meeting of April 9, 2025**

1. **Application #2024-12 James & Maura Hanigan**

**804 Greenwood Avenue, block 80 lot 44      R4 Zone**

Bulk Variances for expansion of existing single family home

Motion to carry to meeting of April 9, 2025: Mike Milano      Seconded by: Brian Brendle

Voted in favor: Chair Eileen Eilenberger, Councilwoman King, Michael Milano,

Brian Brendle, Adam Anzzolin, Dennis Pearsall, Joseph Layton

Opposed: None

2. **Application #2025-01 John & Sheryl Colucci**

**601 Mercer Avenue, block 69 lot 1      R-5 Zone**

Bulk Variances for additions including expanded front porch, rear sunroom addition, second floor expansion, to existing single family home

Mark – reviewed notices and the Board has jurisdiction

Sworn In- Jerry, Christine, John Colucci – owner

Colucci – in 2000, came to the Board for variance, Resolution was January 27 for sideyard setback.

Was supposed to be secondary residence, inlaws lived there and now moved to assisted living. Now we want this to be our primary residence. We were in Connecticut, now the kids live closer and the family is expanding. It's a Cape and want to take the roof off and make into a Colonial. Put a second floor, need variance to expand.

Christine – they need one variance for the secondary front on 6<sup>th</sup> Ave for the addition that is going up and need variances for the building coverage

Colucci – now have ½ a porch in the front and want to expand to extend it to the end of the house. It will be more aesthetically pleasing. Now have 21% coverage and increasing to 25.6%.

Christine- need variances for building coverage and setbacks

Colucci – the architect made a mistake, will revise plans and comply

Jerry – spoke to the engineer, if approved need to submit revised plans and will go out to inspect before the CO is issued.

Colucci – will relocate the dry well away from the side to the back yard under the patio

Jerry – the second floor will match front wall on Mercer

Eileen – need two front yard setbacks and having the AC in the front yards

Colucci – one AC will be staying and the new one will be moved. The property is fenced, if remove the AC will be moved. There will be a fence and landscaping around the AC.

Jerry – outdoor shower needs to be tied to the sewer system

Christine – the sunroom is new

Brian – the sunroom/dining room is pushing it over the coverage

Colucci – wanted sunroom rather than porch, looks awkward without a full porch like the neighbors

Dennis – asking for a small amount, the porch is worth it

Eileen – is there a generator?

Colucci – no

Eileen – if you get one, it has to be in the rear of the house

Christine – has a secondary front and going up from what is there with the existing house. The building coverage proposed is 25.6%

Conditions – comply with rear setback and move the dry wells, outside shower drains connected to sewer system. Submit revised plans to Board Engineer.

Public Questions – none

Public Comments – none

Brian – this is a straight forward plan, an improvement to the home and to the neighborhood

Dennis – the plan looks very good.

Motion to approve with conditions stated : Brian Brendle      Seconded by: Chair Eilenberger

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

Brian Brendle, Adam Anzzolin, Dennis Pearsall, Joseph Layton

Opposed: None

**3. Application #2024-14      Cecelia and William Findlay**

**608 Brighton Avenue, block 55 lot 16      R-5 Zone**

Bulk Variances to convert existing commercial and residential use to single family home

Mark – reviewed notices and Board has jurisdiction

John Farraro, Esq, attorney for applicant

Exhibit A-1 – Aerial photo – discussed

Sworn In: Jerry, Christine, Cecelia Findlay – property owner, Bill Jensen, Engineer

Farraro – the property at 608 Brighton is an irregularly shaped corner lot with 150 feet on Highway 71, northern property line is 50 feet and 174 feet on Brighton Ave, east side has 26.35 feet. 1 ½ story mixed use structure with retail on the first floor and a two bedroom apartment on the second floor. It is non-conforming with the retail use and want to convert to a single family use and take from a non-conforming use to a conforming use. Requires bulk variances for rear and side setbacks. Pre-existing condition on first floor and want to put addition on the second floor for their growing family. Have 3.6 foot setback to the rear and 4.7 feet to one side.

Eileen – explain where is the primary and secondary front

Farraro – the primary front is on Brighton and Highway 71 is the secondary front, the southeast is where the front yard setback is needed. The side is to the east with 26.35 foot setback

Jerry – worked with the applicant's engineer. And old tax map showed it to be 2 lots and at some point it was consolidated

Farraro – it is now just lot 16

Findlay – under contract to purchase and am due March 31. Want to utilize as a single family and need to expand the second floor to accommodate my family. Want to maintain the shed in the rear in the existing location and will get permits. From the wall its 4 foot setback and to the overhang it is 3.6 feet.

Dennis – you are not raising the roof, just adding the dormers?

Findlay- yes, just the dormers to connect the space

Brian- is there usable space on the second floor?

Findlay- adding dormers for visual improvement and for sunlight, will have 5 bedrooms and want solar panels.

Jerry – will you be adding an AC? On the right side – the east side? If stay in close proximity, it will be ok. There is a crawl space and HVAC will be in the basement. Taking water to water infiltration system. The driveway is at an angle and a different angle at the street and too close to the corner. Consider a back up spot and pull forward out. The Board can grant a variance for safety reasons on Brighton Ave – the school is across the street and it is close to the corner

(passed around driveway plan)

Christine – can submit revised plans for resolution compliance

Jerry – can hold the curb cut to 20 feet

Dennis- the existing curb cut is more than 20 feet

Findlay – can get rid of the other driveway, only one on the west side

Jerry – 30 foot curb cut

Eileen – no garage, need shed but its in the front yard

Brian – 2 AC units, one is in the front yard

Christine – any additional AC units will be on the east side

Eileen – The ACs need to be screened

Dennis – did you contact the adjacent property owners?

Findlay – no. Think our plan is more aesthetically pleasing

Eileen – the new second floor needs variances

Brian – did you consider removing and rebuilding?

Farraro – its too costly to rebuild

Sara – proposed bedroom meets the definition of bedroom?

Christine – it has 4 bedrooms and an office/den but counted as a bedroom, side it was 5 bedrooms

Brian- dormer on the east side needs a variance

Jerry – all variances are for the second story

Public Questions – none

Public Comments - none

Christine – zoned residential and they are proposing going from non-conforming to conforming  
Variances – primary setback, rear yard setback, existing shed in front yard, back up parking spot,  
30 foot curb cut, AC on west side – if AC goes on east side then needs a variance.

Dennis – sidewalk is in good shape but may need repair after construction

Findlay – will repair sidewalks as needed

Dennis- improvement to the property and neighborhood – good luck

Brian – nice plan – good luck

Eileen – the building has a certain charm

Motion to approve: Brian Brendle    Seconded by: Councilwoman King

Voted in Favor: Chair Eileen Eilenberger, Councilwoman King, Michael Milano,  
Brian Brendle, Adam Anzzolin, Dennis Pearsall, Joseph Layton

Opposed: None

Motion to adjourn: Councilwoman King    Seconded by: Dennis Pearsall

All Members voted in favor to adjourn

Meeting adjourned: 8:13 PM