

BOROUGH OF SPRING LAKE HEIGHTS LAND USE BOARD

Minutes

May 21, 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, Michael Milano, Councilwoman King
Brian Brendle, Adam Anzzolin, Tom Martin, Anna Kuntz (arrives at 7:28 pm)

Board Members absent: Nancy Maclearie, Dennis Pearsall, Joseph Layton
Councilwoman Degnan-Spang, Roy Francolino

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

A. Discussion:

Land Use Board Rules and Regulations Revisions

Eileen – reviewed the Boards Rules and Regulations and made some revisions because it was done when there were two Boards. Needed to change the order of sequence when replacing regular members. Added all of the amendments to the bottom

Motion to approve: Brian Brendle Seconded by: Councilwoman King

Voted in Favor: Michael Milano, Councilwoman King, Brian Brendle, Adam Anzzolin, Tom Martin,
Chair Eileen Eilenberger

Opposed: None

B. Other Business:

2024 Annual Board Report by Board Planner

Christine – reviewed the list of applications heard in 2024. There were 17 applications, three were for commercial applications in the B2 Zone, one in the MUAH Zone. There were 13 residential applications, 5 in the R3, 2 in the R4 and 6 in the R5 Zones. There were multiple variances for detached garages and accessory structures and some for mechanical equipment. Based on the types of variances, the Chair felt some revisions can be suggested to Council for Signs permitted in Commercial. Saw most types for building coverage especially when the house reached maximum coverage and the garage was over

Eileen – some recommendations were already sent to Council

Motion to approve Report: Brian Brendle Seconded by: Tom Martin

Voted to approve: Michael Milano, Councilwoman King, Brian Brendle, Adam Anzzolin, Tom Martin,
Chair Eileen Eilenberger

Opposed: None

Mark – will put together a letter to send to Janine (Borough Clerk)

C. Applications:

Application #2024-12 James & Maura Hanigan CARRIED FROM MEETING OF April 9, 2025

804 Greenwood Avenue, block 80 lot 44 R4 Zone

Bulk Variances for expansion of existing single family home

James Kinneally, Esq. for the applicant – this is a continued matter. Board had some concerns and they made the addition smaller. Engineer and Planner will give testimony.

Mark- all were sworn in at the prior meeting and continue to be sworn in

Michael Intile, Engineer – changed the plans to conform to the Board's concerns. Went from 26.8% coverage to 24.5%. Need a variance for the front setback to the structure and a variance to front porch setback Plot plan shows the addition on the left side. Went from 42.2% to 40.3 % overall reduced by 170 sq ft. Need two variances – front setback to the house is existing at 25 feet and the porch requires 22 feet and 20 feet is existing. This is a C2 Variance, not a hardship, the benefits outweigh the detriments. Removed the variance for the building coverage, less of a detriment.

(Reviewed the Board Engineer and Planner Letter dated May 6, 2025)

Will comply with the comments and the dry well will increase in size

Eileen – regarding the sidewalk – you had agreed to put money into the fund or can request a waiver

Board Comments:

Tom- looks good

Mike – thank you for making the changes

Eileen – appreciate that you taking into consideration the Board's comments

Public Questions: None

Jerry – need to submit plans for the dry well and for the sidewalk fund

Public Comments: None

Motion to close public: Tom Martin Seconded by: Councilwoman King All Members vote to close

Motion to approve with two variances and the two conditions for the dry well plan and sidewalk fund

to be submitted: Brian Brendle Seconded by: Michael Milano

Voted in Favor: Michael Milano, Councilwoman King, Brian Brendle, Adam Anzzolin,

Tom Martin, Chair Eileen Eilenberger

Opposed: None

7:21 – Councilwoman King left the meeting

Board takes a 10 minute break

7:28 Anna Kuntz joins the meeting

Attendance is taken and meeting resumes

1. Application #2025-05 Philip & Laura Volpe

615 Ocean Ave, block 20 lot 10 MU2 Zone

Use Variance to construct new single family home

Exhibits: A-1 – 10 Photos taken by Michael Rubino, Esq.

A-2 – Site Plan page A-1 of 5 pages

A-3 – New Map and survey

A-4 – Variance Page of the dry well

A-5 – Aerial

A-6 – Aerial History

A-7 – Tax Assessor Property Card

Micheal Rubino, Esq. for the applicant – property is located at 615 Ocean Road. It is located behind Condos to the south and across from the 7-11 Store. Property has been rezoned to the MU2 Zone. According to Tax Assessor records going back to 1928 and aerials, it shows it has been there. Was rented up to last summer and they bought in September. Want to take the houses down and build one new house. There is one house and two bungalows in the back. Need a use variance because this is in the MU2 Zone. This site is particularly suited for a house and more than half of the lot is across the street from residential and there is residential next door and is residential now with condos next door. If a commercial use is put there it would be difficult to pull out onto the busy street. Would like a variance for a driveway bump out to back into so can pull straight out forward. Pool is not in the notice but is subsumed in the use variance. Also noticed for “any and all other variances”.

Mark – agree and the planner agrees with that. The notices were reviewed and Board has jurisdiction Sworn In: Christine, Jerry, Philip Volpe, Paul Damiano, Architect, William Jensen, Engineer

Volpe – Bought the house in September. Daughter lives across the street at 614 Ocean. Thrilled to be here. Coming here for 40 years and renting. Mother is at the Arbors. Have 3 daughters and 8 grandchildren. Want to build new, don't want allergy issues with renovating an old house. It has a front house and two bungalows, parts of the eaves of the bungalows are over into the adjacent property. We removed the asbestos. Want to also take down the main house and build new and the plan follows the R5 criteria. Love the 95 foot frontage, am in mid sixties and want to have bedroom on first floor and the three bedrooms on the second floor for children and grandchildren. The traffic light at the corner causes cars to back up – sometimes up to 8 cars all the way to 612. Want the driveway bump out so don't back out onto Ocean Road. Couldn't get into lot once for 12 minutes waiting for the Pepsi truck.

Rubino - reviewed Exhibit A-1 and described all of the 10 photos and the copy of the Aerial One bungalow has one bedroom, one bungalow has two bedrooms and the main house has 2 bedrooms Paul Damiano, Architect – stated credentials – architect in NJ for 40 years and a resident of SLH Eileen – accepts credentials

Damiano – took a tour of the houses – the bungalows had bathrooms not renovated since 1960s. Structures are all in poor shape, did some gutting and the animals got in there (reviewed plans and described the 3D model of the home) A fence will go around the entire property. The turn around will flare for a K turn to be able to drive out because it is too close to the corner of 71 to back out and would make it easier to get out. Designed within the confines of the R5 Zone. The MU2 Zone doesn't allow for residential and this borders the R5 Zone, look at it as an extension of the R5 Zone. Building coverage in the R5 is 25% and in the MU2 Zone it is 40%. Single family is similar to scale of neighborhood with the setbacks, height and coverages. The total lot coverage now is 66% and reducing to 42.5%. will be adding drainage. The bungalows are one and two feet off of the property line. If was a commercial use, could put commercial on first floor and residential above. Would need a 20 foot buffer. Its too busy of a street to have commercial on this site. Would need more parking with 3 or 4 spaces for the commercial on the first floor plus the residential spaces.

It was designed for them to live on the ground floor and to have a place for the children and grandchildren (described the interior layout in detail) There will be three bedrooms on the second floor with a 3, 000 square foot house. The architectural features will blend into the shore craftsmanship and this meets the parking requirement.

Anna – is this one parcel?

Rubino – yes

Anna – the parking requirement is met. Concerned with curb cut across the street

Damiano – offset to across the street

Christine – this meets the parking requirement

Jerry – wide enough for 4 cars where 2.5 is required.

Damiano – will be replacing sidewalk and curb

Brian – need a variance for the hammerhead, might as well ask for the variance. Take the grass out from the center be all pavers, it would function better. Well under the impervious coverage

Jerry- outdoor shower plumbed to the house?

Damiano – yes, roof and drains

Jerry – need to amend the plans to put the mechanicals on the east side and need a buffer for screening

Damiano – line up with the arborvitaes, the generator is in the rear

Eileen – what is that note that says 9.3 foot setback? What is it to?

Damiano – not sure, think it was in error written there

Public Questions: None

William Jensen, Engineer for applicant – licensed engineer in NJ, attended Clemson University and appeared before various Boards throughout NJ

Eileen – accepts credentials

Rubino – Mr. Jensen is filling in for Mr. Kocuiba

Jensen – familiar with the project – there are three units on the property with a lot of 10,925 square feet

One property away from signalized intersection. East, northeast and north are residential uses. MU2

zone to the north, with 7-11 Store to the Northwest. South is a commercial building with a parking lot

The lot has a width of 95 feet where 100 is required and there are no other lots to acquire. The

proposed use will conform and eliminate the nonconformities. Proposed is a single family use with a

driveway. Need a variance for the back up area and need it for safety to pull out forward, the traffic

stacks up at the light. Need a D1 Variance for a residential use in the MU2 Zone. What is proposed is less

intense than the three existing units and will eliminate the setback violations. It meets the R5 Zone

Requirements. Will have 24% less impervious that the current condition. The accessory use and the pool

are not permitted.

Christine- accessory uses are subsumed in the overall use variance as discussed by the attorneys

Rubino – common to have pool in commercial zone for residential use

Christine – do need the D1 Variance but this use is particularly suited to this site. The testimony stated

that already a residential use there now. The traffic backs up at the light and it would be difficult for a

commercial use at this site. It promotes the health and safety and the general public welfare. It can be

granted without substantial detriment to the public good. They did a good job complying with both the

R5 and MU2 Zones. They could have 40% building coverage if it was commercial and up to 75% of

impervious for commercial uses with a significantly larger building.

(Reviewed Avakian Letter)

Jensen – will comply with recommendations. The pool variance is subsumed by the Use Variance. The

driveway bump out needs a variance.

Rubino – property is particularly suited for this use at this location. There is residential on one side and

across and condos next door. If granted it complies with the intent and purpose of the Zone Plan and

will have a positive effect on the area.

Will revise the plans for the grading, show the taxes are paid, and fix the sidewalks

Board Questions:

Eileen – is there a buffer requirement in the MU2 Zone?

Christine – it's a residential use – don't require a buffer. If it was a commercial use, then would require a buffer.

Adam – will you provide the storm water dry well?

Damiano – yes

Public Comments:

Liam Dwyer, 613 Ocean (sworn in) – it's a hardship for a mixed use here with the traffic. It will be a 100% improvement to the area.

Mark – can have one vote that includes the driveway bump out

Motion to approve with the changes stated : Tom Martin Seconded by: Brian Brendle

Voted in Favor: Michael Milano, Brian Brendle, Adam Anzzolin, Tom Martin,

Anna Kuntz, Chair Eileen Eilenberger

Opposed: None

Motion to Adjourn: Brian Brendle

Seconded by: Tom Martin

All Members Vote to Adjourn

Adjourn at 8:20 PM

