BOROUGH OF SPRING LAKE HEIGHTS LAND USE BOARD

Minutes

April 16, 2025

Meeting Commences at 7:00 PM

Announcement Made by Secretary:

THIS MEETING IS CALLED PURSUANT TO THE PROVISIONS OF THE OPOEN 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, Roy Francolino, Anna Kuntz Brian Brendle, Adam Anzzolin, Tom Martin, Joseph Layton

Board Members absent: Nancy Maclearie, Dennis Pearsall, Councilwoman King, Councilwoman Degnan-Spang

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

A. Minutes:

Meeting of March 12, 2025

Motion to approve: Brian Brendle Seconded by: Chair Eilenberger

Voted in favor: Tom Martin, Roy Francolino, Michael Milano, Anna Kuntz, Brian Brendle, Chair Eilenberger

Meeting of April 9, 2025

Motion to approve: Brian Brendle Seconded by: Chair Eilenberger

Voted in favor: Adam Anzzolin, Tom Martin, Michael Milano, Brian Brendle, Chair Eilenberger

B. Resolution:

None

C. Applications:

1. **Application #2025-02 Franklin & Monica Boenning**
   605 Warren Ave, block 68 lot 3 MU2 Zone
   Use variance for new single family dwelling with detached garage and pool

Mark – notices are in order and the Board has jurisdiction

Michael Rubino, Esq for the applicant - introduces exhibits

Exhibit A-1 – 16 pictures

Exbibit A-2 – Renderings

Exhibit A-3 - Aerial

Sworn In: Christine, Jerry, Joseph Kocuiba, Engineer for applicant, Franklin & Monica Boenning, Paul Rabowski, Architect

Kocuiba – introduced Exhibit A-4 – Variance Plans

Rubino- Business Zone – it's a single family home, unusual, on south side of street with 8 buildings including a bank, pediatrition office, other houses and an office use. The Existing house is in bad condition and ugly with no architectural features. Shed in the back and parking near the bushes, not much of a house. Financial company to the east and houses to the west (described the houses on the block) want to take the house down, its in bad shape and want to replace with a new house. Need a use variance because it is located in the business zone

Eileen – the MU2 Zone is a mixed zone

Rubino – propose a single family home.

Frank Boenning- grew up in Pt Pleasant Beach, an environmental engineer, moved to Texas, an Environmental Attorney in Roseland. Raised children in Mountanville and came back to Jersey Shore, want to have a home for children and grandchildren. Bought home but can't get insurance because foundation is unstable. Work out of the house, need more space and want to replace with a new structure with 4 bedrooms and a half story for an office, don't have staff or clients, work from home. Now have 2 bedrooms on the second floor and a bedroom on the first floor.

Jerry – the generator needs to be in the rear

Rubino – can move to the back

Mark- is that a condition?

Boenning – prefer it to be on the side but will put it in the rear if have to

Jerry – any utility work?

Boenning – cut and capped the sewer and gas line, electric is disconnected in anticipation of demo

Public Questions:

Larry Mains, 603 Warren Ave, will there be fencing, is the generator near hedges, is it on the west side?

Boenning – it is on the west side, will have fencing

Mains- have a dog so let me know when you do the fencing

Paul Rabowski, Architect for the applicant, 30 years experience, testified throughout NJ

Eileen accepts his credentials

Rabowski – house is in poor condition, significant foundation issues, too costly to repair. Propose a 2 ½ story with office and loft area, finished basement, rec area, sewing room. Exterior will have seashore color, either shake or clap board with trim details, bay window, house will be more appealing. Will be a tremendous improvement and in line with homes in the area.

Eileen – will it meet all the conditions for the half story?

Rabowski – yes and meets all of the coverage requirements and keeps with the residential in the area

Brian – what is the finished square footage with the finished basement?

Rabowski – 4,669 square feet for the total size, basement may not be finished, will have windows for natural light

Jerry – does the existing house have a basement?

Rabowski – did soil borings, its 2 feet above

Joseph Kocuiba – licensed Engineer and Planner in NJ, appeared before this Board

Eileen – accepts credentials

Kocuiba – this is an interior lot, 7,500 square feet in the MU2 Zone where 10,000 square feet is required was the B1 Zone, amended from a single apartment to allow apartments above commercial and a mandatory set

aside, permitted are commercial uses. Designed as if in the R5 Zone which is adjacent to the south. Same use as property to the east and west in the MU1 Zone. Across the street is an office building and townhouses and to the east is a single family home and three houses to the west and then a pediatrician office. Edward Jones office to the east, everything else is residential. Its non-conforming with the MU1 Zone but conforming with the R5 Zone which is single family. Propose a single family with a detached garage and a pool and would be conforming with the R5 Zone. Generator is proposed on the west side, adjacent to the AC with ample separation to the neighbor. Require a use variance, D1, since its in the MU 1 Zone, unique that the residential use exists today. Will need a C variance for the accessory structure which is subsumed in the D1 variance. The home will be an enhancement to the area. A special reason is that it promotes the general welfare and will fit and be well suited for a residential use. Permitted is mixed use or commercial use which would require more parking and more impervious area. The lot is only 50 feet wide and would be difficult for a commercial use and fits between two residential uses. The pediatric office is adjacent to commercial and closer to Highway 71 and is more appropriate for MU1. The use change did not result in a commercial corridor. This use is particularly suited to this site and promotes the purposes of Zoning. It will provide a visual enhancement and the benefits the area with a new contemporary home which is more appropriate for this site. It is well designed and will improve the block. There residential across the street with townhouses. This did not turn into a commercial corridor. The accessory uses are subsumed with the use variance. The garage provides security and area to store maintenance equipment and pool items. The pool provides enjoyment and is not detrimental to the neighborhood. This use meets all the requirements if its in the R5 Zone. Appropriately designed and appropriate for this lot and not out of line with the neighborhood. Not detrimental to the zone, intent was commercial corridor. Whats proposed is not detrimental to the zone. There are 5 single family homes, it would be more detrimental to have a commercial use in between. The benefits outweigh the detriments.

Mike – how close is the AC and generator to the adjacent house?

Kocuiba – the house is 10 feet to the driveway and 15 feet closest to the home. Front yard setback is 30.5 feet and propose 30 feet. Same front line and in line with the other houses. Don't know where the ACs are for the other houses because of the hedges, can't see it.

Roy- Neighbor on the east side, where would it be located

Kocuiba- located back of the garage

Mike-what is the proximity of the houses, the window range. Don't want to see a situation where the neighbor complains about it

Kocuiba- if it moves to the south, it conflicts with the window distance. Its near the driveway of the neighbor on his east side

Eileen – need to connect the drain of the outdoor shower

Kocuiba- will connect to the sewer line. There is an 8 foot wide driveway with a grass strip, setback 1.75 feet to the driveway but can move to comply

Jerry – drainage question

Kocuiba- played with the idea of a grass strip down the middle to drain the water, the roof water all drains to the dry well, pipe under the driveway

Jerry – need to show the connections, difficult to see in the field, show the line for the outdoor shower, hot water needs a roof, need to see the size of the drainage pipe

Kouciba- can revise the plans and can identify the size 4 inch to 6 inch. Will identify on the plans

Jerry – need to move the generator to the rear. The sidewalk and curb may be damaged during construction, make a note to repair the sidewalk and the curb prior to the CO

Adam- it is acceptable in the R5 Zone. The shower is attached to the garage, but cannot have water or sewer in the garage. Is it ok to be outside the garage?
Jerry – yes
Christine-to summarize, they need a use variance because it is a single family in the Mixed Use Zone. They will comply with the generator. Agree that the accessory use is subsumed by the principle use
Mike- will there be hot water in the shower?
Kocuiba – yes
Eileen – need to adjust the driveway
Kocuiba – will revise the plans per Mr. Freda.
Eileen - Agree to move the generator and comply with the water infiltration system and the bulk requirements. Will have a ribbon driveway if completely paved?
Kocuiba- 180 square feet which is 2.4%
Christine – will be over
Brian- the shower roof counts, is it in the calculations?
Jerry – yes
Public Comments: None
Brian- its great that you are able to fit this on the 50 by 150 lot and within the building percentage and coverage
Rubino – this is a great improvement to the neighborhood

Motion to approve: Tom Martin Seconded by: Brian Brendle
Voted in Favor: Chair Eileen Eilenberger, Michael Milano, Roy Francolino, Anna Kuntz
Brian Brendle, Adam Anzzolin, Tom Martin, Joseph Layton
Opposed: None

2. **Application #2025-03 Richard Schroeder**
306 Old Mill Road, block 31 lot 25.02 R3 Zone
Bulk variances for enlarging existing garage for existing single family dwelling

Michael Rubino, Esq – for the applicant
Mark – reviewed the notices, Board has jurisdiction
Rubino- enters the exhibits into evidence
Exhibit A-1 – Photo Board – photos by Mr. Rubino
Exhibit A-2 – Aerial
Exhibit A-3- Architect Plan dated 11/21/24
Exhibit A-4 – Engineer Variance Board dated January 30, 2025
Sworn In: Richard Schroader, Joseph Kocuiba, Jerry, Christine
Schroader- grew up in Manasquan, collected cars with dad. 1999 bought in SLH, 2006-moved in
Have several cars – 1972 Chevy Pick up, 1972 Chevy Blazer, 1972 Cadillac Convertible
Lot is 65 feet by 183 feet. The house was built in 1955 by girlfriends grandparents. Want more space to store the cars. No heavy work, tinker in garage. Friend has a shop in South Jersey, need to keep the cars inside, close to the ocean, trying to preserve the cars. Can't store outside. Want to add 309.9 feet over allowable. 720 square feet is permitted, want 955 square feet. Have antique QQ license plates, the cars are not taken out on a daily use, want to keep green in front of garage.
Eileen- will there be a garage door? Not a driveway to the addition? Is it open inside?
Jerry – if don't own the house in the future, then don't have consistency

Schroader- will be open inside and have one interior
Adam- will you do work inside?
Schroader – no, just to keep cars dry, cars are finished
Rubino – the surface under the deck is dirt
Kocuiba – stated credentials, licensed planner and engineer and structural engineer.
Eileen – accepts credentials. It will be under the building and impervious coverage.
The lot is oversized at 11,927 square feet where 11,000 is permitted. It is pre-existing non-conforming and conforms with the required 15 foot height. Has a dropped roof line and will comply with the coverage, going from 16.93% to 20%. Want to legitimize a non commercial use, it's a hobby and needs more space, will provide the soil borings. It meets the C1 and C2 Criteria. It is a substantially oversized lot, and is under the building coverage. It meets the criteria for the C2 Variance – promotes the purpose of zoning and allows for light and open space and an appropriate use for this site. It will provide a desirable visual environment for security and will have the cars out of sight. No detriment to the public good. Will comply with the setbacks. No detriment to the zone plan. This size on this lot is appropriate and thinks the variance can be granted without negative impacts.
Eileen – it is over the allowed 5% for a detached garage
Christine- it will be 8%
Kocuiba – meets the required building coverage but garage is 8%, will be 15 feet high measured from grade, added a dry well for entire roof of the addition.
Tom- if rebuild the side building out, how far to the property line?
Kocuiba – 16.9 feet
Rubino- the fourth picture shows where the addition will be and there are high bushes there
Adam – will the existing shed remain?
Jerry – existing non-conformity

Public Questions: None

Rubino- seen areas in town with a lot of cars in the driveway and its ugly. It's a benefit to the community, want to keep the cars inside.
Board Comments: None
Public Comments: None
Jerry – need to make a decision on the driveway
Brian – makes a motion to approve – the driveway will not extend to the garage. It is a large piece of property and it is set in
Mike – yes, it is a larger lot
Joe- yes, its under the required coverage
Tom – yes, it's a big lot and the shrubs offer screening

Motion to approve: Brian Brendle Seconded by: Tom Martin
Voted in Favor: Chair Eileen Eilenberger, Michael Milano, Roy Francolino, Anna Kuntz
Brian Brendle, Adam Anzzolin, Tom Martin, Joseph Layton
Opposed: None

3.

3. **Application #2025-04 Marcie Blanco**
506 Highway 71, block 37 lot 96 MU2
Use & Bulk Variances for addition of detached garage/shed, inground pool and patio for Existing single family dwelling

Sworn In: Jerry, Christine, Joe Kocuiba, Marcie Blanco
Michael Rubino, Esq. for the applicant
Exhibits: A-1 – Photo Board
A-2 – Aerial from KBA
A-3 – Renderings
A-4 – Variance Plan dated 2/4/25
Rubino- This site is located in a commercial zone and there are other houses in the area. Propose a pool and patio, needs a use variance for residential use in commercial zone
Blanco-was renting in the area for years, late husband had a vision for a house
Lived in the house for 10 years. The foundation started to crumble, first couple years spent bringing the house up to Code, outside is in bad shape and there is bamboo in the yard.
2020- lived there full time but husband died. Back yard was in bad shape, had the bamboo removed. This is a gathering spot for family and friends and want to improve the site aesthetically. Want a pool which will be 4 ½ feet deep – 12 feet by 30 feet, inground, need a storage shed and don't have a garage. The shed is behind the pergola area.
Rubino – there is a 3.5 foot setback for the patio but don't object to moving it to 5 feet. Agree to put in the dry well. There are house adjacent to the property. Across the street is a financial planner, next door is a dry cleaner but there is all residential around
Adam – there is a shared driveway that slopes down to the back
Blanco – its not an aggressive slope, doesn't go to the lake
Tom- Property on Lake Ave goes to the Lake
Anna- concerned with the slope for the pool
Kocuiba- there is a shared driveway to the south and railroad ties in the center
Jerry – its at grade and can drive over it
Public Questions: None
Kocuiba – states credentials- licensed Planner and Engineer in the state of New Jersey
Eileen – accepts credentials
Kocuiba – the lot is 9,000 square feet where 10,000 is required in the MU1 Zone, looked at it as if in the R3 Zone. For the MU1 Zone, it is compliant with the building and impervious coverage, no changes to the home. There are other residential homes in the area. The block is unique, this is located north of Lake Ave on 71, view of Wreck Pond, scenic view. Never commercial use in the past. Want to replace the rear patio and make more modern with 3.5 foot setback with gradual grade changes. Pool, shed and pavilion on one side. Building coverage is 18.77% and 20% is required in the R3 Zone. 47.1% impervious coverage where 20% is permitted in the R3 Zone and 70% permitted in the MU1 Zone. Propose dry well for the shed and pergola, pool fence will comply. This requires a D2 variance for expansion of a non-conforming use. The use is there as residential, just an expansion. Not a substantial detriment, the use is beneficial as residential. The pool and shed do not negatively impact the public good, not a negative impact to the neighborhood. Promotes the purposes of #A by promoting the general welfare and #I for improving the general visual environment. Pool offers enjoyment of the residential use. Not detriment to the public good, no reduction of light or air. The

new Zone Plan sought to change to commercial use but don't anticipate this home being commercial. Will maintain the residential use and can grant this application as requested.
Anna – will the shed look like the house? This is an historic area
Blanco – it will be sided and look like the house. Built in 1890, will be similar to siding and color
The shed will be 120 square feet of covered area, with 8 feet by 12 feet of open area and 8 feet by 10 of it for storage. Open on the three sides for the pergola area. Will have a dry well. Existing outdoor shower is on the right side – the north side
Jerry – opportunity to move the shower to improve the location
Kocuiba – it is pre-existing
Joe – preferable to have closer to the pool
Jerry – will need to change the plumbing, its over the property line, it's a pre-existing issue. Will there be new concrete for the patio?
Kocuiba – it will be 2 feet high with 3 risers
Jerry – concrete walkway?
Kocuiba – full step down
Jerry – will need a variance for the outdoor shower if its moved or leave where it is
Public Comments:
Dan Berman 711 Central Ave – support Marcie, appreciate the improvements
Rubino – regarding the shower, need 30 days to come up with an agreement with the brother for easement agreement – to formalize
Mark – what if don't have an agreement?
Joe – does the shower meet code? Does it drain properly?
Blanco – it has hot water and a roof
Eileen – need a use variance for the pool and the shed and a patio variance for the side

Motion to approve for pool, shed and patio sideyard setback: Tom Martin
Seconded by: Roy Francolino

Voted in Favor: Chair Eileen Eilenberger, Michael Milano, Roy Francolino, Anna Kuntz
Brian Brendle, Adam Anzzolin, Tom Martin, Joseph Layton
Opposed: None

Motion to Adjourn: Tom Martin Seconded by: Adam Anzzolin
All Members Vote to Adjourn

Adjourn at 9:05 PM