

BOROUGH OF SPRING LAKE HEIGHTS LAND USE BOARD

Minutes

June 17, 2026

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.

Flag Salute

A. Roll Call:

Board Members present: Brian Brendle, Richard Thumann, Roy Francolino, Anna Kuntz, Michael Milano, Adam Anzzolin Chair Eileen Eilenberger

Board Members absent: Councilman Dayton Lonsdale, Councilwoman King, Tom Martin, Joseph Layton

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

A. Minutes:

Meeting of April 8, 2026

Motion: Brian Brendle

Seconded by: Richard Thumann

Voted in favor: Roy Francolino, Anna Kuntz, Michael Milano, Brian Brendle, Richard Thumann, Chair Eileen Eilenberger

B. Resolutions:

1. Resolution 2026-12

Application #2026-02 Michael McEvilly & Caroline Moore

1810 Highway 71, block 72 lot 15 R5 Zone

Motion: Brian Brendle

Seconded by: Richard Thumann

Board Members Voted in Favor: Brian Brendle, Richard Thumann, Adam Anzzolin, Anna Kuntz, Chair Eilenberger

Opposed: None

2. Resolution 2026-13

Application #2025-07 700 Highway 71, LLC

700 Highway 71, block 70 lots 14.01 & 21, MU2 Zone

Bulk Variances and Site Plan for wall, pole, freestanding, canopy and projection signage at existing commercial business known as the Shore Club.

Motion: Brian Brendle

Seconded by: Chair Eilenberger

Board Members Voted in Favor: Brian Brendle, Anna Kuntz, Adam Anzzolin, Chair Eilenberger

Opposed: None

C. Application:

Application 2026-01 John Phillips III

610 Highway 71 block 72 lot 15 R-5 Zone

Use Variance and bulk variances to add a new second floor to the existing single family dwelling that fronts on Highway 71 and a enlarge the rear structure and convert to single family dwelling fronting on Essex Avenue and add an attached garage to the rear structure

Engineer Exhibits: A-1 Variance Plan

A-2 Two maps 1955 & 1976 Zoning Maps

A-3 Aerial

A-4 Resolution 2010

A-5 Resolution 2020

Micheal Rubino, Esq. representing John or Jack Phillips owner of 610 Highway which faces the back of the Shore Club. There is a house on the premises that is about 70 years old and is small and in horrible condition. Bought it about 6 months ago and wants to live in it. In 2010, Mr. Miles, the prior owner, who I represented, ran the rear building for a grooming place for dogs. Mr. Miles came before this Board for a use variance for a food service building. It was not successful and he sold to Mr. Phillips. Can keep the front house as is and fix and keep the rear building and operate as a food take out business. Timing was off in 2010, now people are getting food to take out. Now not a bad time for food service. Mr. Phillips has background in restaurants. There are options – to fix the interior of the house in front and rear and get someone to run the kitchen, which has been shut for 2 years. Option 2 – Mr. Phillips is an attorney in several states and can turn into a law office and keep as his or food service delivery business. Jack's mom is 92 years old and he wants to fix the front house and turn the rear house into residential for his mom. Want to add porch to house and increase the second floor, with 3 bedrooms upstairs and one bedroom downstairs. Giving up the commercial use for the rear building with one floor of living space, has a peak but not a second story. Will be living quarters for mom and sister and Phillips will live in the front house commuting to Florida and have his legal practice in NJ. Needs a Use Variance because two structures on one lot and will need variances. North side of Shore Club has deliveries right off of the street when they have a parking lot and the dumpster is on Borough property. Allowing Mr. Phillips to fix it up and live in the front house and convert the back house into residential is more conforming to the zone and a better use. When asking for a use variance, need to specify the type of business, any change needs a variance. In the past the National Guard needed the commercial kitchen in the rear for meals and wanted to enlarge the kitchen for Coast Guard. Don't think it was explained at the Board Mark – it was denied, they denied the expansion of use

Sworn In – Christine Belle, Michael Shafai, John Phillips (owner), George Sekaris (Architect), Joe Kocuiba (Eng)
Kocuiba – been engineer since 2005 (introduced exhibits)

Exhibit A-6 Picture Board – 11 pictures

A-7 – Pictures of rear structure

Kocuiba – looking at A-3, it's a split use property, want it unified with two dwellings. Has an 80 foot right of way on that street. Looking at 1953 historic aerials – have today a non-conforming use. The Master Plan intent for this area is residential. Have 1 ½ stories for front house fronting on 71 and has 35.2 foot setback. Structure built parallel to 71, closer to southern lot line, has a stoop but wants a porch. The R5 Zone allows 20 feet to the porch, porch is at 19.5 feet. Existing dwelling – owner wants to beautify and improve the streetscape and wants to go from 3 bedrooms to 4 bedrooms RSIS requires 2.5 parking spaces, needs two parking stalls, and two are proposed in the back of the home. Proposes a U-shape driveway to improve safety. Now has a parking lot for 6 cars and they back out onto Essex and they are partially in the Right of Way, now the entire area is a curb cut, want to improve and have ample parking with two on the easterly side. Want to convert the one story commercial structure to a 1 ½ story residential use. The current use is out of character with the neighborhood, will not expand the square footage of the building except or the garage, will add 4 feet to the top and then the roof. The four feet will be a knee wall to have more mass and more architectural features. It will be a walk up attic, not for living space. No basement so have little area for storage. The front building will go from 1 ½ stories to 2 stories. The bulk variances requested are for the front setback with 12.3

feet where 20 feet is required, back porch with 19.57 feet where 20 feet is required. The setbacks are conforming on 71. There is an 80 foot right of way, 20 feet to the road on Essex, more than the usual 10 feet and the house is 30 feet from the curb. Standard street is 50 foot right of way. Will be 30 feet from the property line. Variance needed for the 4.5 foot setback which is existing but expanding the corner and the roof for aesthetics, conforming is 5 feet. The garage meets the five foot setback requirement. The back house needs a 20 foot front setback they propose 15.33 feet and 15.15 feet to the porch. 18.1 feet to the west side and 23.6 feet to the east side. Fire protection required if 5 feet or less. Per International Fire Codes – 0-5 feet need some type of fire rated walls – one hour fire rated and 3 feet or less then can't have windows and one hour fire rated. Majority of the area is 5 feet, eaves need to be fire rated, less than 5 feet then one hour fire rated. Fully compliant with UCC and International Fire Code. The east dwelling can have one car in the driveway and one in the garage and one on the curve. The residential improvements are more in line with the Master Plan and the neighborhood. The two structures have existed there since the 1950's, want to bring more in line with the current zoning. There will be a dry well system for both which will improve drainage. Eileen- the driveway to the west, what is that setback?

Kocuiba – 3 feet to 10 feet. On the west it is 4 feet off of the structure, both houses have access to loop, so both uses don't back out onto Essex.

Mike – The F150 – 20 foot won't work

Kocuiba – correct, if have 4, then F150

Eileen- will you remove the current asphalt and replace with grass?

Kocuiba – yes. The building coverage existing is 25.9% where 25% is permitted and 29.97% is proposed. Will add a porch to both houses and a garage to the rear one. Will reduce the impervious coverage from the existing 53.36% to 49.91% proposed, where 50% is permitted and will have dry wells. There will be two curb cuts instead of the current 70 foot curbcut. Much better than the current condition and moving it further from the intersection and no one will be backing out.

Eileen- the curb sketches need to be replaced.

Kocuiba – not changing any curbing on 71. Asking for a waiver for the sidewalk requirement on Essex, more appropriate to pay into the fund.

Christine – recommend putting sidewalks on Essex, its piecemeal now but eventually will get all the sidewalks. Encourage sidewalks, there is plenty of room.

Adam- based on the layout, no ordinance says can't park on the driveway curve. Will it have 8 foot ceilings?

Kocuiba – can put 3 additional vehicles there

Richard – the zoning is R5, with a mixed use on the site, what stops others from asking for two 2 houses on one lot?

Rubino – this is a unique situation with an existing front residential unit and a rear unit used for commercial. Don't know too many other spots like this. No one ever asks for two houses on one lot. This doesn't set a precedent, not Superior Court decision. This is an unusual situation.

Mark – the Board takes each application on its own merits. The approval runs with the land

Christine- Board needs to decide whether to allow the change from commercial to residential use for family members, can sell the property and the variances run with the land.

Rubino – the existing use runs with the land. Can find someone to run the business.

Brian – could it be a condo with two houses?

Rubino – yes can do that

Roy- Can there be restrictions on this property?

Mark – can set conditions

Rubino – can't be two properties, would need to subdivide

Christine – if subdivide, then create two non-conforming lots

Public Questions:

Michele Wood – 608 Highway 71 – is it two buildings or is it an accessory building?

Kocuiba – not an accessory building, they got a variance for the use (showed on the boards)

Rubino – not going to be finishing tonight, can take a look at the dates

Public Questions:

Mike Hayduk, 809 Central Ave – (questions regarding the plans)

Rubino – Mike Shafai and Christine Bell reviewed the plans and the plans were submitted to the Board

Hayduk – regarding the circular driveway, can two cars pass?

Kocuiba – yes, shown on plans

John Phillips (owner) – grew up here and worked on the beach, mom is 90 and dad is 94 and he was in the military. The intent is to convert the front house from 1 ½ stories with 3 bedrooms to 2 stories with 4 bedrooms. Back building could keep cinderblock and can keep as a food service or rent out or put a law office in there. Propose 1 ½ stories for the rear building. The half story is for storage and won't have bedrooms or bathrooms, its an access story for service of the AC and heat and mechanicals. Want to build residential to put mom in, she lives in the Arbors now. Intent is to live in the front house and turn the rear commercial building into residential. Request a waiver for the sidewalk.

Public Questions: Mary Beth Rehrer, 307 11th Ave

Rubino – waived any time constraints

Motion to carry application with no further notice: Anna Kuntz Seconded by: Brian Brendle

All members vote in favor

Motion to adjourn: Brian Brendle

Seconded by: Richard Thumann

Meeting Adjourned: 8:40 PM