BOROUGH OF SPRING LAKE HEIGHTS LAND USE BOARD

Minutes

August 19, 2026

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.

Flag Salute

A. Roll Call:

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

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

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

A. Minutes:

Meeting of April 8, 2026

Motion to approve: Anna Kuntz Seconded by: Brian Brendle

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

Opposed: None

Resolutions:

1. **Resolution 2026-12 Application #2026-02 Michael McEvilly & Caroline Moore**
   1810 Highway 71, block 72 lot 15 R5 Zone
   Bulk Variances for new driveway and shed
   Motion to approve: Brian Brendle Seconded by: Richard Thumann
   Voted in favor: Adam Anzollin, Brian Brendle, Richard Thumann, Anna Kuntz, Chair Eilenberger

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 to approve: Brian Brendle Seconded by: Chair Eilenberger
   Voted in favor: Adam Anzollin, Brian Brendle, Anna Kuntz, Chair Eilenberger

A. 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

Michael Rubino, Esq for applicant
Joseph Kocuba, Eng and Planner for applicant

Exhibits:
A-8- Rendering of both buildings
A-9 -Photos of Shore Club in back, front house on 71 and new rear building
A-10- Amended Variance Plan from A-1- July 15, 2026
A-11- Porch Exhibit
Mark – Board Professionals remain under Oath from the last meeting,
Sworn In- Joseph Kocuba, Eng & Planner and George Tsairis, Architect
The Board Professionals remain under oath from the last meeting.
Rubino-there was concern about the second floor being used with the knee walls – was 24 feet high, there is no intent to use as living quarters to allay any fears. Took off 7 feet and is now 17 feet high. The current building looks ugly. From a structural standpoint, fits in well with houses in the neighborhood, illegal to stay in the second floor as built.
George Tsairis, Architect for 26 years accepted as expert witness
Tsairis – there are two houses, front house is a single family, retrofit cape, has bedroom, bath, kitchen, living room and second floor has a bedroom and an unfinished room. Its 19 feet 3 inches high, rooms on the second floor are not code compliant. Stairs are less than 36 inches, the second floor is dated. Want to take to the ridge and lift the roof, will be 30 feet 10 inches. The footprint will remain, will build on top of existing, adding over that. Put closet on first floor for bedroom to be legal. Total bedrooms, one on first floor and will reframe the dormers for bedroom and making a master bedroom for a total of 4 bedrooms, second floor will be 829 sq ft. Total house is 1,565 sq ft, finished with the porch is 1,792 sq ft. front house will have 2 bedrooms on the second floor and one on the first and will add a second bathroom on the second floor. will rip out the stair and make legal and make the window legal, will have 80 inch high ceiling, added front portico and will be more attractive, will have a dormer over the portico to break up the scale. (reviewed the front building photos) will have windows that for egress that firemen can fit in. The back building is a commercial kitchen with 9 foot 10 inch flat roof (showed photos) it was a commercial kitchen for offsite food distribution. Want to change to single family with all the living space on the first floor with 2 bedrooms, 2 baths, 950 square feet and 261 square foot garage.
Exhibit A-7 Photos of rear structure
Will have a 4 foot high knee wall, will keep portico the same, took out the dormer, no access to the second floor with just pull down stairs for storage with a height of 5 feet 11 inches where 6 feet is legal height, with a 4/12 pitch on the garage with no knee wall, not habitable on the second floor. trying to keep with the neighborhood, the existing floor is just 6 inches above the grade.
Exhibit A-8 Photos shown.
Contextually matches roof lines on Essex, the house in front meets house next door. The walls will meet the one hour rating, now is wood and 0 rating, present building not compliant
Eileen – does the Board have any questions for the architect
Tsairis – will be replacing the shed and using area of the footprint for an added closet for the first floor bedroom. Will add above it to make the second floor bedroom legal, add master shower.
Adam – front house is only extending area up along Essex, everything else is in conformance?
Tsairis – yes, going above the existing. The back house will have the garage extension and needs a new roof. Will be submitting a landscape plan
Adam – explain the roof on the building in the setback area

Tsairis- it is 9 feet 10 inches to the top of the existing structure plus the 18 inch knee wall with a sloping roof. that's a decorative eave that is close to the soffit, decorative but can take it off, kept it in to match with the front building.
Eileen- does it meet the half story definition?
Kocuiba – it's a one story with an attic, there is a 6 inch step up into the house, a little more height adds to the front to look nicer, meets the height requirement
Eileen – any questions from the public for the architect?
Public Questions:
Michele Wood, 908 Jersey Ave, owner of 608 Highway 71 – the eastern building was originally built
Tsairis – was not a residence, it was different uses
Woods – how many windows face south? Most of the walls are 4.5 to 5 feet away
Tsairis – 2 windows, no dormers, will be rated, the garage will meet the 5 foot setback, the 2 corners are slightly under 5 feet. Will bring up to date on planning and engineering issues.
Kocuiba-updated the planning and zoning table. The front yard on Highway 71 and secondary front on Essex, side yard is the south side and rear is the east side. Rear building is one story with 5 foot setback for the vast majority, no increase in living space, just adding the knee wall
Christine – there is no living space there today
Kocuiba – yes. Improvement to the westerly building, there is 12 foot 3 inches where 20 feet is required which is existing. Adding a portico which violates the setback for secondary front on Essex. House needs a porch for protection from the weather and for aesthetics. The dimensions for the setbacks vary, not detriment. Essex has an 80 foot right of way. Our distance front the curb is more than the standard house with a 10 foot setback from the right of way. Has an asphalt parking lot that encroaches into Municipal property and cars back out into the roadway. Parking – has 2.5 for the westerly home, meets RSIS standards with 4 parking stalls provided total for both buildings. Requires a waiver for the two curb cuts so no vehicle needs to back out into the road.
Christine- show the site plan so we can see how the cars move out
Eileen – it is a much more desirable driveway
Kocuiba-Proposed driveway is U-driveway with the entrance in the right of way, with parking and the parallel area is out of the right of way, driveway extends back 40 feet for the two structures, 11 feet behind the rear car, propose an attached garage.
Christine – why do you need the U driveway?
Kocuiba – so no one backs out. Now have 70 feet of driveway that backs out, can make 2 separate driveways, each can have a K turn, thought this was better so don't need to back out.
(showed photos of property across the street) the property across the street has cars and trucks loading
Mike – that is the south side for the loading area for the kitchen
Kocuiba – for the Shore Club, east of the building is the refuse area
Chistine – the dumpster is not directly across
Rubino- the trucks park perpendicular and block access to the street
Mark – making an argument, not testifying
Kocuiba – the aerial photo shows to the north is the restaurant use, the angle of dumpster has the trucks parked across Essex (shows photos)
Christine – does the Shore Club get deliveries on certain days?
Kocuiba – don't know. The U shaped driveway is to avoid backing out, it's a safer condition
Roy-What prevents people from parking in the U Shape driveway, could happen
Brian – this has been there

Rubino- there is an agreement with the Shore Club to use the town property, a license agreement
Christine – predates the owner purchasing this property
Rubino – the dumpster in rear yard, proposed to move to the east. Shore Club doesn't want to move it
Mark – what evidence do you have supporting the agreement?
Rubino-dumpster use is on Town property
Mark – you are referencing an agreement, we don't have
Kocuiba – Exhibit A-11 – showing a one story dwelling with a front setback of 15 feet 6 inches where 20 feet is required and 12 feet 3 inches to the porch with two piers within the setback, needs a variance. It has a secondary front on a corner lot. Porches in the front yard is allowed to have 8 feet in the setback on the primary front.
Brian- can cut the roof overhang, looks still in the setback
Kocuiba – the dotted line is the overhang which is an error. There is an eave, was a cantilever and then the eave. 18 inch cantilever and the 4 foot wall, cleaned it up with a simpler roof. Reduced to 17 feet from 24 foot height. Will have 18.1 foot setback where 20 feet is required. Northwest corner is in the front yard set back, move further east to 23.6 feet and garage is 21.3 feet
Christine- don't get porch in the setback, front is 12.35 feet where 20 is required in the front yard
Whats the distance between the buildings?
Kocuiba – 18.5 feet between the two buildings, removed some impervious was 53.36% , now 49.81%. need building coverage variance was 29.97% now 25%, is 5% over, with the proposed garage, porch and bump out. The porches are an aesthetic benefit, ordinance promotes porches, garage is a benefit for storage
Brian – whats the density?
Kocuiba – 10.9 units per acre proposed, 5.8 is permitted. The D1 variance covers everything
Rubino – have a witness to give testimony

Public Comments:
Sworn In – Sheila Phillips (mom of property owner)
S. Phillips – live at 550 Warren at the Arbors. When son bought the property, wants to live there. Been in the area since 1961. Good solution to stay in the area and live with son. Husband is in a nursing home. Going on 92 and is important for seniors to maintain contact with family. Happy to have the opportunity to have daughter move in. John will live in front house. Good concept, all on one floor, mor a home life with daughter and son. Arbors is wonderful with independent apartment but is institutional.
Sworn In: Kathy Cunningham – 610 Essex and Jim Sfayer
Rubino – you are familiar with the property with the food on-site
Cunningham -had a lot of deliveries
Sfayer – constant flow of trucks, cars parked, if backing out it's a problem. This will improve the street
Anna-did the deliveries come all day long? Was the garbage pick up at certain times?
Sfayer – different times
Cunningham- block has transformed
Rispaud- 615 Essex (witness for the applicant) lived there for 4 years.
Rubino – there are two buildings, rear one was on site food service, now wants residence
Rispaud – would be an improvement to the neighborhood, garbage pick up was at 6:30 am M-F and they
Rubino – would you rather have a business or residence there?
Rispaud – residence
Kristin Gillis-615 A Essex – witness for applicant

Gillis – lived here for 6 years, in favor of the application, would improve the corner with a residence instead of a commercial use. The deliveries were constant and dangerous trying to get around the trucks
Adam – every day?
Gillis- quiet on Monday and Tuesday
Eileen – was the trash everyday
Gillis – yes, early in the morning
Mike S.- want to talk about the sidewalk
Kocuiba -71 is a State Road, State Curb, they do their own, need DOT approval
Mike S. – Essex- applicant doesn't want to put in sidewalk
Christine- its up to the Board, recommend sidewalks on Essex. Has 80 foot right of way with 20 feet between the curb and the property line. There are traffic issues with deliveries, putting in the sidewalk would help pedestrians.
Adam – landscaping shown – is that what is proposed or what is there, what is to remain?
Tsairis – it's a concept on the rendering, not accurate. Site plan shows the landscaping
Anna- whats on 71?
Adam – majority of the plantings are in the right of way, building coverage is over by about 320 square feet,
Kocuiba - existing is 25.9% coverage was 29.5%
Adam – 4% over allowable
Brian- what about the utility poles?
Mike S. – it's a wide right of way, has utility poles
Kocuiba – strip of grass about 3 feet

Public Questions on engineering:
Michele Wood-608 Highway 71 – is the 4.5 foot setback going to stay?
Kocuiba – the 4.5 foot setback is a midpoint (shows Exhibit A-10) area where there is a 5 foot setback. Wall is remaining and wall is extending up, maintaining the building, asking for variances
Wood – discussed July 13, 2026, Monarch Case with Supreme Court
Mark – need to ask a question
Christine – that case is not relevant to this case, this is not a inherently beneficial use, is a D Variance
Mark – can give argument at the end of the case.

Application carried to a Special Meeting on September 30 – all members voted in favor

Motion to adjourn: Brian Brendle Seconded by: Adam Anzollin
All members vote in favor to adjourn

Meeting Adjourned: 9:09 pm