

**BOROUGH OF INTERLAKEN
MINUTES- PLANNING BOARD
APRIL 18, 2022 7:30 P.M.
BOROUGH HALL, 100 GRASSMERE AVENUE**

A meeting of the PLANNING BOARD of the Borough of Interlaken, Monmouth County, New Jersey was held on April 18, 2022, at 7:30 p.m. in the Borough Hall.

Chairman Papp opened the meeting, announced that the meeting was being held in accordance to the Open Public Meeting Act and that Notice of the meeting had been published in the Coaster. The announcement was followed by the Pledge of Allegiance.

ROLL CALL:

Present: Chairman Papp, Vice Chairwoman Umfrid, Mr. Tilton, Ms. Dalton, Mr. Wasilishen, Ms. Heinz, Mr. Weaver, and Ms. Kapp

Also Present: Planning Board Attorney Sanford Brown, and Planning Board Secretary Gina Kneser

Late Arrival: None

Absent: Councilman Butler, Mr. Blasucci and Ms. Kane

UPON MOTION of Vice Chairwoman Umfrid, seconded by Mr. Weaver carried, the Board approved the minutes of the March 21, 2022 meeting.

ROLL CALL:

In Favor: Chairman Papp, Vice Chairwoman Umfrid, Mr. Tilton, Ms. Dalton, Mr. Wasilishen, Ms. Heinz and Mr. Weaver

Opposed: None

Ineligible: None

Abstain: None

Absent: Councilman Butler, Mr. Blasucci and Ms. Kane

MEMORIALIZATIONS

An application had been presented to the Board at the March 18, 2022 meeting for variance(s).

**BOROUGH OF INTERLAKEN PLANNING BOARD
RESOLUTION GRANTING VARIANCE TO
STEPHEN SHAMOSH, 100 BRIDLEMERE AVENUE**

WHEREAS, Stephen Shamosh, hereinafter referred to as “Applicant”, is the owner of certain property known as Block 35, Lots 1, 2 and 3.01 on the official tax map of the Borough of Interlaken, which property is located at 100 Bridlemere Avenue in the Borough of Interlaken, County of Monmouth, and State of New Jersey; and

WHEREAS, the Applicant is proposing to move the shed into the front yard along Buttermere Avenue, which is not allowed and requires a variance; and

WHEREAS, after proper notice, a public hearing on the within application was held on March 21, 2022 at the Interlaken Borough Hall; and

WHEREAS, the Board has considered at the hearing the reports of the Board Engineer, Peter R. Avakian P.E., P.P., dated March 11, 2021 and October 19, 2021, a survey of property consisting of one (1) sheet prepared by Jeffrey S. Grunn, P.L.S., of Lakeland Surveying, dated February 10, 2022, with the latest revisions dated February 14, 2022. This plan shows the proposed new location of the shed and coverage calculations. A survey of property consisting of one (1) sheet prepared by Charles Surmonte, P.E. & P.L.S., dated February 21, 2019, with no revisions;

NOW THEREFORE, the Planning Board of the Borough of Interlaken makes the following findings of fact:

1. The Applicant is the owner of Block 35, Lots 1, 2 and 3.01 in the Borough of Interlaken, County of Monmouth and State of New Jersey.
2. The Applicant is proposing to move the shed into the front yard along Buttermere Avenue, which is not allowed. A variance is required.
3. Tool sheds or similar storage buildings shall not exceed 120 square feet. The existing shed area is 111.20 square feet, which conforms.
4. The maximum building height for an accessory structure (shed) is 15 feet. The existing shed height is approximately 9 feet, which conforms.
5. The property is a triangular shaped corner lot which has an area totaling 16,499 square

feet and is currently occupied by a single family dwelling.

6. The minimum lot area permitted per the zoned district is 15,000 square feet. The existing lot area is 16,499 square feet, which conforms.

7. The minimum lot width permitted per the zoned district is 75 feet. The existing lot width is over 75 feet, which conforms.

8. The minimum lot depth permitted per the zoned district is 100 feet. This lot is unique and does not have lot depth.

9. The minimum front yard setback permitted per the zoned district is 50 feet, except that no building shall be nearer to the street than the average alignment of the existing buildings within 200 feet of each side of the lot and within the same block. The Applicant did not provide the average alignment for the front yard setbacks. The front yard setback is 16.0 feet along Buttermere Avenue and is 20 feet along Bridlemere Avenue. Both front yard setbacks represent an existing non-conformity.

10. The minimum side yard setback permitted per the zoned district is 15 feet. The existing side yard setback is 52.5 feet, which conforms.

11. The minimum rear yard setback permitted per the zoned district is 30 feet. This lot is unique and does not have a rear yard setback.

12. The maximum building area coverage permitted per the zoned district is 25% of the lot area. The existing building coverage is 15.1%, which conforms.

13. The maximum impervious surface area permitted per the zoned district is 45%. The existing impervious coverage is 34.1%, which conforms. The existing coverage will not change since the shed is being moved.

14. No driveway shall be constructed closer than 5 feet to any adjoining lot line. The existing driveway encroaches onto the adjacent property to the west. This represents an existing non-conformity, and the Board suggests the owner should resolve this encroachment.

15. There shall be no power/lights and no occupancy of the shed.

16. The existing landscaping which will protect the shed being seen by neighbor shall be

generally maintained so as to continue that shielding.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Interlaken that the application for a bulk variance pursuant to N.J.S.A. 40:55-D:70c.-(2) to relocate an existing shed, in accordance with the application submitted, be and is hereby approved, based on Applicant's proofs that the relief requested can be granted because the purposes of the Act would be advanced by the grant of the deviation sought from the zoning ordinance requirements and the benefits of granting the deviation would substantially outweigh any detriment and also because the grant will be without any substantial detriment to the public good and will not substantially impair the intent and purpose of the Zone Plan and Zoning Ordinance including because the Lot is very unusual in dimension, having multiple front yards, the shed cannot be seen from the neighboring public because it will be behind some mature evergreen plantings and the height is only 9 feet, which was an important consideration.

The relief is granted subject to the following conditions:

- A. The height of the shed shall be limited to 9 feet.
- B. There shall be no power/lights in the shed.
- C. The existing landscaping which will protect the shed from being seen by neighbors shall be generally maintained so as to continue that shielding.
- D. A General Note should be added to the plan stating the existing curb and sidewalk along the frontage will be replaced if found to be in poor condition.
- E. Publication of a notice of this decision in the official newspaper serving the Borough of Interlaken and return of proof of publication to the Board Secretary;
- F. Payment by the Applicant of all taxes, escrows and assessments to date. No building permit or certificate of occupancy is to be issued until proof is furnished to the Board Secretary that there are no taxes, escrows or assessments due or delinquent on the property in question.
- G. Complying with the documents marked at the hearings, and with the testimony and stipulations of the Applicant at the hearing.
- H. Compliance with all conditions set forth in this Resolution.

I. Compliance with the requirements of all governmental agencies having jurisdiction over the development of the property.

J. Pursuant to Ordinance Section 25-3, Applicant shall have one year from the date of this Resolution to move the shed, otherwise this variance approval shall expire one year from the date hereof.

K. The Applicant must comply with all representations made on the record.

BE IT FURTHER RESOLVED that a copy of this Resolution, certified by the Secretary of the Planning Board of the Borough of Interlaken to be a true copy, be forwarded to the Borough Construction Official, the Borough Clerk, the Borough Tax Assessor and Collector and the Applicants herein; and

BE IT FURTHER RESOLVED that this Resolution shall serve as one of memorialization of the action taken by this Board at its meeting on March 21, 2022.

The foregoing Resolution was offered by Mr. Weaver and seconded by Ms. Dalton and adopted on Roll Call by the following vote:

ROLL CALL:

In Favor: Chairman Papp, Vice Chairwoman Umfrid, Mr. Tilton, Ms. Dalton, Mr. Wasilishen, Ms. Heinz and Mr. Weaver

Opposed: None

Abstained: None

Ineligible: Ms. Kapp

Absent: Councilman Butler, Mr. Blasucci and Ms. Kane

611 Windermere Avenue
Block 6/Lots 21, 22 & 23
Speedy

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WHEREAS, the Applicant is proposing to move the shed into the front yard along Buttermere Avenue, which is not allowed and requires a variance; and

WHEREAS, after proper notice, a public hearing on the within application was held on March 21, 2022 at the Interlaken Borough Hall; and

WHEREAS, the Board has considered at the hearing the reports of the Board Engineer, Peter R. Avakian P.E., P.P., dated March 11, 2021 and October 19, 2021, a survey of property consisting of one (1) sheet prepared by Jeffrey S. Grunn, P.L.S., of Lakeland Surveying, dated February 10, 2022, with the latest revisions dated February 14, 2022. This plan shows the proposed new location of the shed and coverage calculations. A survey of property consisting of one (1) sheet prepared by Charles Surmonte, P.E. & P.L.S., dated February 21, 2019, with no revisions;

NOW THEREFORE, the Planning Board of the Borough of Interlaken makes the following findings of fact:

17. The Applicant is the owner of Block 35, Lots 1, 2 and 3.01 in the Borough of Interlaken, County of Monmouth and State of New Jersey.

18. The Applicant is proposing to move the shed into the front yard along Buttermere Avenue, which is not allowed. A variance is required.

19. Tool sheds or similar storage buildings shall not exceed 120 square feet. The existing shed area is 111.20 square feet, which conforms.

20. The maximum building height for an accessory structure (shed) is 15 feet. The existing

shed height is approximately 9 feet, which conforms.

21. The property is a triangular shaped corner lot which has an area totaling 16,499 square feet and is currently occupied by a single family dwelling.

22. The minimum lot area permitted per the zoned district is 15,000 square feet. The existing lot area is 16,499 square feet, which conforms.

23. The minimum lot width permitted per the zoned district is 75 feet. The existing lot width is over 75 feet, which conforms.

24. The minimum lot depth permitted per the zoned district is 100 feet. This lot is unique and does not have lot depth.

25. The minimum front yard setback permitted per the zoned district is 50 feet, except that no building shall be nearer to the street than the average alignment of the existing buildings within 200 feet of each side of the lot and within the same block. The Applicant did not provide the average alignment for the front yard setbacks. The front yard setback is 16.0 feet along Buttermere Avenue and is 20 feet along Bridlemere Avenue. Both front yard setbacks represent an existing non-conformity.

26. The minimum side yard setback permitted per the zoned district is 15 feet. The existing side yard setback is 52.5 feet, which conforms.

27. The minimum rear yard setback permitted per the zoned district is 30 feet. This lot is unique and does not have a rear yard setback.

28. The maximum building area coverage permitted per the zoned district is 25% of the lot area. The existing building coverage is 15.1%, which conforms.

29. The maximum impervious surface area permitted per the zoned district is 45%. The existing impervious coverage is 34.1%, which conforms. The existing coverage will not change since the shed is being moved.

30. No driveway shall be constructed closer than 5 feet to any adjoining lot line. The existing driveway encroaches onto the adjacent property to the west. This represents an existing non-conformity, and the Board suggests the owner should resolve this encroachment.

31. There shall be no power/lights and no occupancy of the shed.
32. The existing landscaping which will protect the shed being seen by neighbor shall be generally maintained so as to continue that shielding.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Interlaken that the application for a bulk variance pursuant to N.J.S.A. 40:55-D:70c.-(2) to relocate an existing shed, in accordance with the application submitted, be and is hereby approved, based on Applicant's proofs that the relief requested can be granted because the purposes of the Act would be advanced by the grant of the deviation sought from the zoning ordinance requirements and the benefits of granting the deviation would substantially outweigh any detriment and also because the grant will be without any substantial detriment to the public good and will not substantially impair the intent and purpose of the Zone Plan and Zoning Ordinance including because the Lot is very unusual in dimension, having multiple front yards, the shed cannot be seen from the neighboring public because it will be behind some mature evergreen plantings and the height is only 9 feet, which was an important consideration.

The relief is granted subject to the following conditions:

- L. The height of the shed shall be limited to 9 feet.
- M. There shall be no power/lights in the shed.
- N. The existing landscaping which will protect the shed from being seen by neighbors shall be generally maintained so as to continue that shielding.
- O. A General Note should be added to the plan stating the existing curb and sidewalk along the frontage will be replaced if found to be in poor condition.
- P. Publication of a notice of this decision in the official newspaper serving the Borough of Interlaken and return of proof of publication to the Board Secretary;
- Q. Payment by the Applicant of all taxes, escrows and assessments to date. No building permit or certificate of occupancy is to be issued until proof is furnished to the Board Secretary that there are no taxes, escrows or assessments due or delinquent on the property in question.
- R. Complying with the documents marked at the hearings, and with the testimony and stipulations of the Applicant at the hearing.
- S. Compliance with all conditions set forth in this Resolution.

T. Compliance with the requirements of all governmental agencies having jurisdiction over the development of the property.

U. Pursuant to Ordinance Section 25-3, Applicant shall have one year from the date of this Resolution to move the shed, otherwise this variance approval shall expire one year from the date hereof.

V. The Applicant must comply with all representations made on the record.

BE IT FURTHER RESOLVED that a copy of this Resolution, certified by the Secretary of the Planning Board of the Borough of Interlaken to be a true copy, be forwarded to the Borough Construction Official, the Borough Clerk, the Borough Tax Assessor and Collector and the Applicants herein; and

BE IT FURTHER RESOLVED that this Resolution shall serve as one of memorialization of the action taken by this Board at its meeting on March 21, 2022.

The foregoing Resolution was offered by Mr. Weaver and seconded by Ms. Dalton and adopted on Roll Call by the following vote:

ROLL CALL:

In Favor:	Chairman Papp, Vice Chairwoman Umfrid, Mr. Tilton, Ms. Dalton, Mr. Wasilishen, Ms. Heinz and Mr. Weaver
Opposed:	None
Abstained:	None
Ineligible:	Ms. Kapp
Absent:	Councilman Butler, Mr. Blasucci and Ms. Kane

The Board had a discussion regarding cabana definitions and restrictions within the Borough. A proposed definition provided by Borough Engineer/Planner Avakian dated April 18, 2022 was discussed in detail.

Vice Chairwoman Umfrid proposed the use of the definition that is used by Middletown Township. The Board was agreeable to using this definition.

It was determined that Chairman Papp and Ms. Kapp would consult with Engineer/Planner Avakian regarding the Board's proposal to suggest that the Borough use a definition similar to that of Middletown Township.

Most of the Board members agreed that parameters should be set on the cabanas using a strict definition.

The Board will forward their suggestions regarding cabana use to Borough Council for consideration.

UPON MOTION of Mr. Weaver, seconded by Mr. Wasilishen, carried, the Board adjourned the meeting.

ROLL CALL:

In Favor: Chairman Papp, Vice Chairwoman Umfrid, Mr. Tilton, Ms. Dalton, Ms. Heinz, Mr. Wasilishen, Mr. Weaver and Ms. Kapp

Opposed: None

Ineligible: None

Abstain: None

Absent: Councilman Butler, Mr. Blasucci and Ms. Kane

Approved: _____
Mr. Papp, Chairman

Attest: _____
Gina Kneser, Secretary